

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4466 of 2023

Arising Out of PS. Case No.-654 Year-2022 Thana- BHABHUA District- Kaimur (Bhabua)

CHHOTU RAM S/o Late Shivmurat Ram R/o Village- Maheshuwa, P.S.-
Bhabhua, Distt- Kaimur at Bhabhua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan, Adv.
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Bhabhua P.S. Case No.654 of 2022, registered for the offence
punishable u/s 324, 307, 34 of the IPC and 27 of the Arms Act.

Allegedly, the petitioner is said to have fired gun shot
near the ear of the informant, due to which he sustained injury.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to land dispute. No
such occurrence, in the manner as alleged, has ever taken place.
It is submitted that the prosecution case is itself doubtful from
the fact that the alleged occurrence is said to have taken place
on 01.10.2022 but the F.I.R. was lodged on 10.10.2022 i.e. after



delay of ten days without giving any plausible explanation. There is no eye-witness to the alleged occurrence and only on suspicion, petitioner has been made accused in this case. He has one criminal antecedent.

Learned APP for the State opposed the prayer for bail by submitting that the petitioner has sustained firearm injury in the temple region of his head and the injury was found grievous in nature.

Having regard to the facts and circumstances of the case and considering the nature of injury, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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