

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25743 of 2023

Arising Out of PS. Case No.-330 Year-2022 Thana- VISHNUPAD District- Gaya

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ROHIT KUMAR @ BUTTA @ ROHIT SINGH Son of Natu Singh @
Ranjeet Singh @ Ranjit Singh Resident of Mohalla - Shamshan Ghat, P.S.-
Vishnupad, District - Gaya, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pintu Kumar Patel, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 504 and 506 of the Indian Penal Code and under Section 27 of the Arms Act and under Section 37(2) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of four cases and the informant alleges that on account of dispute between two wood traders at Gaya cemetery, the police reached the place of



occurrence and came to know that firing between the two sides had taken place. It is next alleged that an injured person was found lying who disclosed his name as Ramji Thakur and also narrated that assault was committed on account of dispute relating to trading of wood and that firing also took place and one cartridge was recovered from the place of occurrence and Ramji Thakur was found drunk and he was sent to government hospital for treatment.

Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and even the allegation of firing is not specific.

Learned A.P.P. for the State, Mr. Chandra Bhushan Prasad, opposes the prayer for anticipatory bail of the petitioner and submits that it is not a case under Excise Act, but also involves Arms Act and allegation is of firing, one person was found lying injured who was taken to hospital and petitioner has antecedent of four cases and a cartridge was also recovered from the place of occurrence.

Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to grant



anticipatory bail to the petitioner.

Accordingly, the present anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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