

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32805 of 2023

Arising Out of PS. Case No.-96 Year-2023 Thana- MADHUBAN District- East Champaran

AMRENDRA KUMAR @ GUDDU PRASAD S/o- PRABHU DAYAL
PRASAD Village- Madhuban (Ashok Chowk) Ps- Madhuban Dist- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
307, 504, 506 and 34 of the Indian Penal Code and under
Section 27 of the Arms Act.

3. In compliance of the order dated 31.07.2023, the
Investigating Officer of the case is present in the Court.

4. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent.

5. The informant alleges that Deepak caught her
husband and the petitioner fired causing gunshot injury in his
abdomen, earlier also they had assaulted her husband for which



Madhuban P.S. Case No. 196 of 2022 was instituted and the accused persons were pressurizing to compromise the case.

6. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that in the case diary, there is no injury report of the injured, but then the statement of the injured is recorded at Para-21 of the case diary that he was shot by the petitioner.

7. The Investigating Officer of the case, who is present in the Court, submits that the date of occurrence is 28.02.2023 and the FIR was instituted before Madhuban P.S. on 02.03.2023. It is further submitted that the informant was being treated at Galaxy hospital in Muzaffarpur which is not within the jurisdiction of Madhuban police station, it is next submitted that the doctors of Galaxy hospital had informed the concerned police station within which Galaxy hospital comes and accordingly, an Officer of the concerned police station of Muzaffarpur had gone to the hospital to record the statement of the injured. It is further submitted that the FIR instituted at Madhuban police station was by one Poonam Devi wife of the injured and the statement of the injured in the hospital was recorded by an Officer of Kanti police station.

8. The Investigating Officer of the case further



submits that he has a copy of the injury report of the injured and from perusal of the same, it would manifest that the injury is grievous caused by firearm.

9. Considering the submissions made by the Investigating Officer of the case, the Court is not inclined to grant the privilege of anticipatory bail to the petitioner.

10. Accordingly, the present anticipatory bail application stands rejected.

11. The personal appearance of the Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

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