

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51911 of 2023

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

Chhotu Ram Son Of Late Shiv Murat Ram Resident Of Village - Maheshua,
P.S. - Bhabhua, District - Kaimur (Bhabhua)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Ram, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 11-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bhabua P.S. Case No. 654 of 2022 lodged on 10.10.2022 under
Sections 324/307/34 of the Indian Penal Code and under Section
27 of the Arms Act.

3. As per the prosecution case, FIR has been lodged
against the petitioner and three unknown accused persons.
Allegation in the FIR is that the informant was sleeping in
Dalan, he heard the sound of firing and received injury then he
had seen that the petitioner with three unknown accused persons
were fleeing away. It has been alleged that the said petitioner
had fired by which the informant suffered gunshot injury on his
Kanpatti. The cause of dispute has been alleged that at about



4:00 PM on 01.10.2022 there was a dispute took place between the informant and the petitioner in which the petitioner has threatened him to kill.

4. Learned counsel for the petitioner submits that the petitioner and informant both are full brothers and they are residing in the same village and are neighbourers. On petty issue, dispute took place. Counsel submits that the allegation in the FIR is not specific; rather on strong suspicion.

5. Counsel for the petitioner submits that antecedent of the petitioner is not clean. There is one case pending against him in which he is on bail. He submits that the petitioner is in custody since 16.05.2023.

5. Learned counsel for the State opposes the prayer for bail and submits that there is a specific allegation of firing by *Desi Katta* by which injury has been caused to the informant.

6. Considering the facts and circumstances of the case, I am not inclined to grant bail to the petitioner. Hence, the bail application is rejected.

(Dr. Anshuman, J)

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