

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52439 of 2023

Arising Out of PS. Case No.-13 Year-2023 Thana- SIKRAUL District- Buxar

SHIVJI SINGH @ TUNA YADAV S/O BUDHAN YADAV R/O VILLAGE-
PANIYARI, P.S- SIKRAUL, DISTT.- BUXAR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy
For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Sikraul Police Station Case No. 13 of 2023, dated 08.03.2023, disclosing offence under Sections 341/323/504/307/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as per the First Information Report, is that while the informant was at his door, co-accused Dhanjee Yadav came and demanded money for liquor and when the informant refused to give the money, co-accused Dhanjee Yadav abused and started assaulting him and also called his brothers, who came variously armed and assaulted the brother and father of the informant on their head due to which they



sustained injuries. It has further been alleged that when the informant tried to escape, the petitioner fired bullets, which hit the informant on his shoulder and the bullet, so fired by the petitioner, also hit the cousin sister, Mamta Kumari, on her left leg.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has been implicated in this case due to village politics. He further submits that there is case and counter case between the parties inasmuch as Sikraul Police Station Case No. 14 of 2022 has been lodged by the petitioner against the informant and his brothers for the occurrence which had taken place on the same date and time. He next submits that the petitioner and his family members have also sustained injuries.

On the other hand, learned counsel for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that there is specific allegation of firing against the petitioner.

After having heard learned Counsel for the parties and taking into consideration the fact that there is specific allegation of firing against the petitioner due to which the informant received bullet injury on his shoulder and one Mamta Kumari



received bullet injury on her left leg, I am not inclined to exercise my discretion for grant of anticipatory bail.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

ashwani/-

U		T	
---	--	---	--

