

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52246 of 2022**

Arising Out of PS. Case No.-692 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

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PARASH RAI Son of Nemi Rai R/V- Bankat Tola Bhitahan, P.S- Muffasil,
Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Mr. Renu Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-01-2023

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case
registered for the offences punishable u/s 143, 341, 323, 307 and
326 of the Indian Penal Code and 27 of the Arms Act.

As per the prosecution case, the petitioner and the co-
accused persons surrounded the informant and the petitioner



opened fire from the gun on the informant with intent to kill him which also hit the right leg of the informant.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. He has submitted that the injured was treated in private hospital where the injury report of the injured shows entry wound over right leg and exit from the back of the calf muscle of the right leg. He has submitted that it does reflect that the injury is grievous in nature as per Section 320 of the I.P.C. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioner by submitting that the specific allegation against the petitioner and the injury is found on non-vital part of the body though the injury is grievous in nature.

Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, East Champaran at Motihari, in connection with Motihari



Muffasil P.S. Case No. 692 of 2021, subject to conditions as
laid down under section 438(2) of the Code of Criminal
Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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