

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11228 of 2024

Arising Out of PS. Case No.-376 Year-2023 Thana- JAGDISHPUR District- Bhojpur

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1. Sudama Singh @ Sudama Yadav Son Of Late Sabha Yadav Resident Of Village - Chhotki Hardiya, P.S. - Jagdishpur, District - Bhojpur
 2. Ram Narayan Yadav @ Ram Narayan Singh Son Of Late Sabha Yadav Resident Of Village - Chhotki Hardiya, P.S. - Jagdishpur, District - Bhojpur
- Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Singh
For the Opposite Party/s	:	Mr. Satya Nand Shukla
For the O.P. No. 2	:	Mr. Munna Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-03-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State along with learned counsel for the O.P. No. 2.

2. The petitioners apprehend their arrest in connection with Jagdishpur P.S. Case No. 376 of 2023 registered for the offences punishable under Sections 341, 323, 307 and 34 of the Indian Penal Code read with Section 27 of the Arms Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated on account of dispute relating to land. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that on account of dispute relating to land, there was an altercation and the petitioners were assaulting him but when his son came to save him, they started firing from their terrace causing firearm



injury. It is thus submitted that when petitioners were assaulting the informant at the place of occurrence then how they could have fired from the terrace.

4. The learned counsel appearing on behalf of the O.P. No. 2 submits that there is specific allegation against the petitioners of firing from the terrace causing firearm injury to the son of the informant and from the injury report also, it manifests that the injured has suffered firearm injury. It is next submitted that FIR is not an encyclopedia and it may be a possibility that at the time of registering the FIR, the informant was not in his proper frame of mind as his son was injured by firearm.

5. Considering the submissions made by the learned counsel appearing on behalf of the O.P. No. 2, the Court is not inclined to extend the privilege of anticipatory bail to the petitioners.

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

(Satyavrat Verma, J)

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