

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12397 of 2024

Arising Out of PS. Case No.-394 Year-2023 Thana- NAWADA MUFFASIL District- Nawada

VIJAY SINGH @ BULLU SINGH S/O- LATE NANDO SINGH R/O-
VILLAGE- PACHHIYADIH, P.S.- MUFFASIL, DIST.- NAWADA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Birendra Kumar, Advocate
For the Opposite Party/s	:	Mr.Madhura Nand Jha, APP
For the informant	:	Mr. Ashok Kumar, Advocate
	:	Mr. Anil Kr. Choudhary, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 14-03-2024 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Muffasil PS case no. 394 of 2023, disclosing offences punishable under Sections 147, 149, 341, 323, 307, 504, 506 of the Indian Penal Code and Section 27 of Arms Act.
3. The prosecution story, as per the First Information Report, is that on 22.11.2023 at about 11.30 am, informant along with other family members were harvesting paddy crops in Naukayan Khand (Badhar). In the meanwhile, petitioner along with other accused persons, total 06 in numbers, armed with gun/ rifle, arrived there and fired upon the informant but the bullet crossed the head of the informant. The accused persons



assaulted the informant with iron rod and other weapons. All accused persons were armed with various weapons. Some of the accused persons armed with khanti surrounded the informant, assaulted him with iron rod causing injury on his right hand and Manoranjan Singh assaulted him on his mouth and nose, one Sadhu Singh assaulted upon Raja Ram with khanti causing injury on the finger of his right hand. It is alleged that the reason behind the occurrence is that in the year 2010, petitioner had fired at the house of the informant, due to which, 11 persons had sustained injury and an F.I.R. bearing Muffasil PS case no. 71 of 2010 was lodged by the informant. The petitioner was pressurising the informant and others to enter into compromise in Muffasil PS case no. 71 of 2010.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to land dispute. A counter case being Muffasil PS case no. 395 of 2023 has been lodged by the side of the petitioner against the informant and others. Learned counsel further submits that the firing made by the petitioner did not hit anybody and nobody has sustained firearm injury.

5. On the other hand, learned counsel for the informant vehemently opposed the prayer for anticipatory bail



and submits that the petitioner is a history sheeter and has created terror in the locality. He further submits that the petitioner has also suppressed the material fact regarding criminal antecedents before this Court and has disclosed only five criminal antecedents in paragraph no. 3 of the bail application whereas petitioner has 18 criminal antecedents, out of which, the informant has produced the F.I.R. and charge-sheet of 08 more cases, lodged against the petitioner.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that petitioner appears to be a habitual offender and have suppressed the material fact regarding criminal antecedent before this Court, I am not inclined to grant the privilege of anticipatory bail to the petitioner.

7. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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