

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18669 of 2024

Arising Out of PS. Case No.-132 Year-2023 Thana- PUSA District- Samastipur

Chunnu Kumar @ Sumant Kumar @ Sumant Son of Dinesh Prasad Singh
Resident of Vill.-Ward No.8 Harpur Pusa, P.O. and P.S.-Pusa, Distt.-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar
For the Opposite Party/s : Ms.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

3 10-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Pusa P.S. Case No. 132 of 2023 instituted for the offences under Sections 307, 120B and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, there is allegation against the petitioner along with other co-accused fired upon the son of the informant due to which he sustained injury.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner has nothing to do with the said occurrence and has no criminal antecedent. The occurrence



took place on account of petty dispute. The injury is not on vital part of the body. Learned counsel for the petitioner further submits that petitioner had no intention to kill the son of the informant.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that petitioner is named in the FIR and there is specific allegation of firing upon the informant’s son is against the petitioner. Hence, the petitioner does not deserve anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and the fact that specific allegation of firing is against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The prayer is rejected.

8. However, if the petitioner surrenders and prays for regular bail, the same may be considered by the Court below on its own merit without being prejudiced by this order of rejection.

(Rudra Prakash Mishra, J)

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