

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26015 of 2024

Arising Out of PS. Case No.-188 Year-2023 Thana- DHARHARA District- Munger

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Anjani Kumar @ Bobby Son Of Ram Lakhan Singh @ Ram Lakhan Mahto
@ Lekha Mahto Resident Of Village- Baha Chowki, Ps- Dharhara
(HEMJAPUR), Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha, Advocate
For the State : Mr. Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 11-07-2024 Heard Mr. Anand Kumar Ojha, learned counsel

for the petitioners and Mr. Brajendra Nath Pandey, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
27.11.2023, in connection with Dharhara P.S. Case No 188
of 2023, FIR dated 05.09.2023 registered for the offenses
punishable under Sections 307 and 34 of the Indian Penal
Code and under Section 27 of the Arms Act and
subsequently added under Section 302 of the Indian Penal
Code.

3. The prosecution case, in brief, is that the
petitioner along with other co-accused persons fired upon



the father of the informant due to which the informant's father admitted to the hospital and later he died.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent, he has falsely been implicated in the present case. He further submits that the allegation as alleged is false and fabricated and the petitioner has not committed any offense as alleged in the FIR. He further submits that the co-accused person namely Ram Lakhan Prasad Singh @ Ram Lakhan Mahto has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 17.02.2024 passed in Cr. Misc. No. 7270 of 2024 and other accused persons have been granted regular by this Court namely Dharmendra Kumar vide order dated 04.07.2024 passed in Cr. Misc. No. 20756 of 2024 and Vipul Kumar vide order dated 19.04.2024 passed in Cr. Misc. No. 10914 of 2024.

5. Learned APP for the State, on the other hand, on the basis of the material available on record and case diary has vehemently opposed the prayer for bail and submits that from bare perusal of the FIR it appears that the petitioner is named in FIR, apart from that the statement of



the deceased was recorded as mentioned in paragraph 32 of the case diary before dying, he clearly stated that the petitioner has fired upon him. There is direct allegation of firing in attributed against the petitioner.

6. Considering the aforesaid facts, that deceased has clearly stated that the petitioner has fired upon him, I am not inclined to enlarge the petitioner on bail in connection with Dharhara P.S. Case No 188 of 2023.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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