

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30451 of 2024**

Arising Out of PS. Case No.-367 Year-2023 Thana- MOUZAHDIPUR District- Bhagalpur

Pramod Tanti S/o Sri Lale Tanti R/o Mohalla- Mahadeo Lal Lane, Near-  
Mahadeo pound, Kutubganj, P.S.- Mojahidpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Chandra Shekhar Anand

For the Opposite Party/s : Mr.Shailendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

3      21-09-2024      1. Heard the parties.

2. The petitioner apprehends his arrest in connection with  
Mojahidpur (Babarganj) P.S. Case No. 367 of 2023 dated  
05.11.2023 registered for the offence under Sections 447, 341,  
307, 504, 506, 34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the F.I.R. the informant Savitri Devi on the  
fateful night of 04.11.2023 at 8:30 P.M. she was in her house  
with her family members. Suddenly, the accused persons along  
with one unknown person armed with pistol came at her door  
and kicked the door and called Arpit. It is further alleged that  
they demanded Rs. 1 Lakh and also told to settle the case of  
Ankush Kumar. The informant went to her roof from where in  
the light of torch she identified the accused persons. In the  
meantime the petitioner fired upon her but the bullet did not hit



the informant. Thereafter, the informant threw a half brick on which one of them again fired upon her.

4. Learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence whatsoever. He submits that the informant did not sustain any injury as such Section 307 I.P.C. is not made out against the petitioner. The wife of the petitioner earlier has lodged SC/ST P.S. Case No. 24 of 2023 on 23.08.2023 under Sections 341, 323, 354, 504, 506 / 34 of the I.P.C. and Section 3(i)(r)(s)(w) of the SC / ST Act against the informant and her family members and the present case is the counter blast of SC / ST P.S. Case No. 24 of 2023.

5. I have heard learned counsel for the petitioner and perused the material on record. The petitioner is F.I.R. named accused and there is specific allegation of firing against him. From perusal of the seizure list at paragraph no. 4 of the case diary it appears that two empty cartridges were recovered and seized in front of the house of the informant.

6. Considering the nature of accusation and active participation of the petitioner in the alleged occurrence, I am not inclined to grant the privilege of anticipatory bail to the petitioner. The same stands rejected.



7. However, if the petitioner surrenders before the court below and seeks regular bail, the court below may consider the same on its own merit without being prejudiced by the fact the present anticipatory bail application has been rejected by this Court.

(Anil Kumar Sinha, J)

praful/-

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