

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26166 of 2024**

Arising Out of PS. Case No.-271 Year-2023 Thana- KONCH District- Gaya

Govind Kumar Son Of Dhananjay Yadav Resident Of Village- Chaturi Bigha,
P.S. Konch, District- Gaya. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 01-05-2024 Heard Mr. Gajendra Kumar Singh, learned counsel
appearing on behalf of the petitioner and Mr. Ajit Kumar,
learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Konch P.S. Case No. 271 of 2023 registered under Sections
341, 323, 307, 506, 34 of the Indian Penal Code and Section 27
of the Arms Act.

3. As per the allegation made in the FIR, altogether
seven accused persons named therein, including the petitioner,
started firing from the roof of their house at the family members
of the informant, in which, the daughter and sister-in-law of the
informant sustained gun-shot injury.



4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case due to land dispute. It is further submitted that no specific allegation has been made against the petitioner, rather the allegation is general and omnibus. The petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR, which is general and omnibus, however, from the FIR, it is not evident, as to whether, petitioner has fired upon the injured persons namely Gudiya Kumari and Manju Devi, **the District Court is directed to call for injury report, as well as, case diary and upon perusal of the same, if it is found that the petitioner has not fired or no such allegation was made by any of the witnesses, examined in the course of investigation,** in that case, the District Court is directed to release the petitioner on anticipatory bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Additional Chief Judicial Magistrate



VIII, Gaya in connection with Konch P.S. Case No.271 of 2023,
subject to the condition as laid down under Section 438(2) of
the Cr.P.C.

7. The bail application stands disposed of.

(Purnendu Singh, J.)

Ashishsingh/-

U		T	
---	--	---	--

