

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27147 of 2024

Arising Out of PS. Case No.-303 Year-2019 Thana- KALYANPUR District- East Champaran

1. CHENNAI YADAV @ RAMCHANDRA YADAV SON OF RAMADHAR RAY
2. RAJA KUMAR SON OF RAMCHANDRA YADAV
3. SUDAMA RAY @ SUDAMA YADAV SON OF LAXMAN RAY
ALL RESIDENT OF BAKHRI TOLA, P.S. - KALYANPUR, DISTRICT -
EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-08-2024 Heard learned counsel for the petitioners as well as
learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 448, 307 and 34 of the IPC and Section 27 of the Arms Act in connection with Kalyanpur P.S. Case No.303 of 2019.

3. The learned counsel for the petitioners submit that petitioner no.1 has antecedent of two cases and petitioner no.2 and 3 are persons with clean antecedent.

4. It is next submitted that informant alleges that his Ravi Ranjan was sleeping in the Verandah, when he heard his



son saying that Rajwa has shot him, on which informant also came in the Verandah and saw the named accused persons including the petitioners along with unknown accused standing with pistol and his son was shot on the back. Further on alarm the accused persons fled away.

5. The learned counsel for the petitioners submit that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that specific allegation of firing is against petitioner no.2 while petitioner no.1 and 3 are not alleged to have fired, it is also submitted based on pleadings made in the anticipatory bail application that the condition of the injured was such that he was not in a position to give his statement.

6. The learned APP, Mr. Chandra Bhushan Prasad opposes the anticipatory bail application and submits that what is not disputed, rather than admitted is that the son of the informant got shot, further it does not appear probable that a father would try to falsely implicate accused persons who did not commit the occurrence. It is also submitted no doubt petitioner no.1 and 3 are not alleged to have fired and there is specific allegation of firing against petitioner no.2, but then the presence of the accused including the petitioner no.1 and 3



emboldened the petitioner no.2 to commit the occurrence.

7. At this state, the learned counsel for the petitioners submit that the informant alleges that his son was taken to Paras hospital, but then he was not admitted there and from Paras where his son was taken that has not been disclosed. On which the learned APP again submits that the learned counsel for the petitioners is not disputing the allegation that the son of the informant was shot.

8. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner, accordingly, the anticipatory bail application is rejected.

(Satyavrat Verma, J)

Prakash Narayan

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