

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27763 of 2024

Arising Out of PS. Case No.-747 Year-2023 Thana- SUPAUL District- Supaul

Raju Sah @ Raju Kumar S/o Sitaram Sah R/o village- Parsa, P.S. and District
- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 19-07-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Supaul P.S. Case no. 747 of 2023, registered under sections 302, 341, 323 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that in altercation between the parties, while the petitioner caught hold of Mukesh Kumar, Sanjay Sah shot him with pistol as a result of which Mukesh Kumar sustained firearm injury in his chest and died.

4. Learned counsel for the petitioner submits that the parties are agnates and the manner of occurrence is other than what has been narrated in the FIR, it was the informant side



which was aggressors and had fired upon Sanjay Sah. In the altercation, Sanjay Sah in his defence had snatched the pistol from the hand of the informant and had fired in his defence which resulted in the injury to the deceased. In reference to Annexure-3, it is submitted that there is land dispute between the parties and the petitioner has no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the FIR wherein the petitioner is said to have caught hold of the deceased while Sanjay Sah fired from his pistol resulting in him sustaining firearm injury and having died, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. The petitioner is directed to surrender in the Court below within a period of four weeks.

8. In case the petitioner surrenders within the aforesaid period and prays for regular bail, the same shall be considered without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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