

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33985 of 2024

Arising Out of PS. Case No.-153 Year-2023 Thana- PASRAHA District- Khagaria

1. Hitlar Kumar @ Robins Kumar Son Of Bakmiki Yadav R/O-Village - Tehay, P.S - Pasraha, Distt - Khagaria
2. Uttam Kumar @ Prashant Kumar Son Of Dharamveer Yadav R/O-Village - Tehay, P.S - Pasraha, Distt - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Adv.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 20-11-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Pasraha P.S. Case No. 153 of 2023 registered for the offences punishable under Sections 341, 307, 326/34 of the Indian Penal Code and under Section 27 of Arms Act.

3. Learned counsel for the petitioners submits that petitioner no.1 has one criminal antecedent and petitioner no.2 is a person with clean antecedent and the informant alleges that on 05.06.2023 at about 11 O'clock, while his son Sonu was going towards market on his motorcycle and reached near Tehai



Chowk where he was intercepted by accused persons including the petitioners and thereafter Hitlar (petitioner no.1) fired upon Sonu which hit in his right hand and right thigh of Jitendra Kumar. On alarm, people tried to run away from there. It is further alleged that associates of Hitlar fired indiscriminately causing fire arm injury to Sakshi and Guddu who were taken to Referral Hospital, Gogari. From where Jitendra and Sakshi were referred to Mayaganj Hospital, Bhagalpur.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case on account of dispute relating to land. It is also submitted that case diary was called for and the same has been received but then injury report enclosed with case diary has not received which casts aspersion of the case of the prosecution.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that there is direct allegation of firing against petitioner no.1 causing injury to the son of the informant and other. It is also alleged that his associates fired causing injury to Guddu and Sakshi who is aged about 14 years.

6. Considering the facts and circumstances of the case and submissions made by the learned A.P.P., the Court is not



inclined to extend the privilege of anticipatory bail to the petitioners.

7. The application stands rejected.

(Satyavrat Verma, J)

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