

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42850 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- CHAPRA TOWN District- Saran

Pintu Singh Son of Late Suresh Singh Resident of Village-Rawal Tola,
Chhota Telpa, P.S-Chapra Town, Dist-Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-07-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Chapra Town P.S. Case no.14 of 2024 registered for the offence punishable under sections 307, 341, 324, 326, 506 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that the accused persons including the petitioner caught hold of the informant and threatening him that as to why the informant had stabbed him, the petitioner resorted to firing as a result of which the informant sustained firearm injury in his back. At this time, the other accused persons took away Aman Giri and assaulted him as a result of which he sustained injuries in his head.



4. Learned counsel for the petitioner submits that nephew of the petitioner had lodged the case against the informant which is Annexure-2 to the petition for the reason that the informant had stabbed him. The instant case has been lodged falsely implicating the petitioner because of the said case. Referring to the injury report at Annexure-3, it is submitted that no firearm injury was found. Further, according to Annexure-4 issued by the Ruban Memorial Hospital at Patna, two entry wounds were found which was subsequently corrected in Annexure-5 wherein one wound of entry was found. Further reference is made to Annexure-6 wherein the doctor at Sadar Hospital in Chhapra not finding firearm injury as mentioned by the Ruban Memorial Hospital recommended for constitution of the Medical Board however, the same was not constituted. It is lastly submitted that a protest petition has also been filed by the informant wherein it has been stated that another person had sustained head injury which has not been found true in the medical examination.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that there is direct allegation against this petitioner of having resorted to firing



resulting in firearm injury to the informant which is substantiated from the report of the hospital.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR together with the contents of the report of the hospital wherein one wound of entry and one wound of exit has been found in the report enclosed at Annexure-5, 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 learned Court below within a period of four weeks.

(Partha Sarthy, J)

Saurabh/-

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

