

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42813 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

1. Mithun Kumar S/O Late Vyas Ray R/O Village-Ratanpura, Bintoliya, P.S.- Chapra Mufassil, Distt-Saran
2. Anil Mahto S/O Raj Kumar Mahto R/O Village-Ratanpura, Bintoliya, P.S.- Chapra Mufassil, Distt-Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anjani Parashar, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-07-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Mufassil (Chapra) P.S. Case no. 11 of 2024, registered under sections 307 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, six accused persons on two motorcycles are said to have stopped the informant who was returning home. It is further stated that as a result of firing resorted to by the two petitioners herein, the informant sustained firearm injury in his stomach and arm.

4. Learned counsel for the petitioners submits that the



petitioners have been falsely implicated in the case. There is dispute between the parties and one of the petitioners happens to be driver of JCB machine. It is further submitted that the alleged occurrence is said to have taken place at 9:30 pm and the informant has not disclosed the source of light as to how he identified as to which shot of the accused hit him and which missed.

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 direct allegation against the two petitioners of having resorted to firing on the informant and the corresponding firearem injury sustained by the informant as is evident from the order of the learned trial Court, the Court is not inclined to enlarge the petitioners on anticipatory bail and the application is rejected.

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

(Partha Sarthy, J)

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