

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47202 of 2024

Arising Out of PS. Case No.-33 Year-2024 Thana- LODIPUR District- Bhagalpur

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Sajjan Modi @ Prince Raz SON OF PARMANAND MODI @
PARMANAND CHAURASIA VILLAGE- MAHAMDABAD, PS-
LODIPUR, DIST- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-08-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 286,
326, 307, 34 of the Indian Penal Code, Section 27 of the Arms
Act read with Sections 3 and 4 of the Explosive Substance Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on 06.02.2024, he got an information that his son
was injured by an explosive substance, accordingly he reached
near the shop of the uncle of the petitioner and saw his son lying
in an injured condition, thereafter he was rushed for treatment
but he was not in a position to speak on account of trauma, it is
next alleged that when his son regained his consciousness, he
disclosed that on the date of occurrence, one Raja Mandal called



him on his mobile and asked him to come at the house of Sajjan Modi (petitioner) and further stated that he is sending Sajjan to pick him up, accordingly Sajjan came on a bike and the victim accompanied him and the moment he reached near the shop of the uncle of the petitioner, he took out a pistol and fired and thereafter Raja Mandal hurled a bomb on him causing injuries.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case. It is next submitted that the date of occurrence is 06.02.2024 and the FIR has been instituted on 16.02.2024 i.e. after a delay of ten days, thereafter the learned counsel draws the attention of the Court to *Annexure- P/2* to the anticipatory bail application which is the injury report and draws the attention of the Court to the last para of the injury report wherein it is recorded- *“Patient was not willing for admission here not for any police case at that time. Not willing for any investigation.”*

5. The learned counsel submits that the injury report has been issued by JLNMCB, Bhagalpur and the report clearly records that son of the informant was not interested in instituting a police case nor was willing for any investigation which amply demonstrates that the occurrence took place in some other manner and by way of afterthought, the petitioner who is a



person with clean antecedent, came to be implicated by way of afterthought for some ulterior reasons, moreso when injured has not received any firearm injury. The learned counsel for the petitioner further submits that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Lodipur P.S. Case No. 33 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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