

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49768 of 2024

Arising Out of PS. Case No.-913 Year-2023 Thana- SAHARSA SADAR District- Saharsa

Bijay Kumar Singh @ Vijay Kumar Singh Son of Late Surendra Narayan Singh Resident of Village - Pama (Near Kali Temple), Warde No.- 3, P.S.- Saur Bazar, O.P.- Patharghat, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Advocate Mr. Bhaskar Shankar, Advocate Ms. Sakshi Deep, Advocate
For the State	:	Mr. Ramesh Chandra, APP
For the Informant/s	:	Mr. Anil Kumar Chaudhary, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 17-12-2024 Heard Ld. counsel for the petitioner and Ld. APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Saharsa Sadar P.S. Case No. 913 of 2023, dated 21.12.2023, registered for the offences punishable under Sections 323, 324, 504, 506, 147, 148, 149, 307/34 of the Indian Penal Code.

3. As per the allegation, when the informant along with his family members was present on his land, the accused persons including the petitioner went on the same land and on altercation, the petitioner fired by his revolver hitting the knee of the victim of the case.



4. Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that there is no injury report in the case diary. He further submits that in the case diary, it has come that the persons who were accompanying the informant, did not recognize the person who shot at the informant. He further submits that the land where the informant was standing belongs to him and without any justification, the informant is claiming the land in question as his own land.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has no criminal antecedent.

7. However, Ld. APP for the State and learned counsel for the O.P. No.2 vehemently oppose the prayer of the Petitioner for bail submitting that it is the petitioner who has fired at the informant by his pistol injuring his knee and the land in question belongs to the informant and not to the petitioner. They further submit that despite the request of the informant, the police is not recording the statement of the informant and not taking the prescription of the treatment nor collecting the injury report



from the hospital concerned. Learned counsel for the O.P. No.2 has filed a copy of the prescription of the treatment across the board and the same is taken on record. This prescription clearly shows that the informant has sustained firearm injury leading to fracture in his leg.

8. Considering the aforesaid facts and circumstances of the case, I am not persuaded to enlarge the petitioner on anticipatory bail.

9. Accordingly, the prayer of the petitioner for anticipatory bail is rejected.

(Jitendra Kumar, J)

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