

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59110 of 2024

Arising Out of PS. Case No.-117 Year-2024 Thana- BIHIA District- Bhojpur

Jitesh Thakur Son of Manoj Thakur Resident of Village - Gaura, P.S. - Bihiya
(Bahoranpur O.P.), District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-09-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Bihia P.S. Case no.117 of 2024 registered for the offence punishable under sections 307, 341, 435 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per allegation in the F.I.R, the informant states that one Abhishek Singh and the petitioner started indiscriminate firing upon him while he attempted to run away through the agriculture field. It is further stated that the shot fired by Abhishek Singh hit him in his waist as a result of which he was injured.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The informant is a veteran criminal and the manner of occurrence is other than



what has been narrated in the FIR. Even from the FIR it would be evident that so far as the alleged injury to the informant is concerned, the same is attributed to the firing resorted to coaccused Abhishek Singh and not the petitioner. Referring to the injury report it is submitted that even the injury attributed to coaccused Abhishek Singh has been found to be simple in nature. The petitioner has no criminal antecedent and undertakes to cooperate in the case.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R. wherein it is stated that the petitioner along with Abhishek Singh resorted to indiscriminate firing upon the informant together with the corresponding firearm injury on the person of the informant, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

The petitioner is directed to surrender in the learned Court below within a period of four weeks.

(Partha Sarthy, J)

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