

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61747 of 2023

Arising Out of PS. Case No.-163 Year-2022 Thana- KASIMBAZAR District- Munger

ANANT MANDAL son of Sanjiv Mandal @ Sanjay Mandal Mohalla- Ghosi
Tola Ps- Kasim Bazar Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

8 10-04-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is an accused in connection with Kasim Bazar P.S. Case No. 163 of 2022 registered for the offences under sections 385, 387, 307 and 34 of the Indian Penal Code and section 27 of the Arms Act lodged on 18.06.2022 by the informant, Vina Devi.

3. That, prosecution case in brief is that Vina Devi submitted her fardbayan at Sadar Hospital, Munger before the Officer-in-charge of Kasim Bazar Police Station on 17.06.2022 at 21.45 hrs stating there in enter alia that on 17.06.2022 at about 09.45 PM informant was standing out side of her Kirana Shop and it was shutting down by her son namely Vikash Kumar @ Sittu and her husband had gone for taking meal, at that time accused Rohit Kumar, Anant Mandal and Gappu reached at her shop and asked to give a water bottle upon which



after giving water bottle Rs. 20 as was demanded as a cost by Sittu. Thereafter, it is alleged that Aakash Kumar and Harshvardhan hooligans ordered whereafter Rohit, Anant and Gappu opened fire upon her son forcing her to hide under the counter. On hearing sound of firing, her husband came at shop there after firing was also made upon him due to which her husband also injured. Later, they escaped. With the help of locals, they were taken to Sadar Hospital Munger from where they were referred for treatment. Accordingly, the FIR.

4. The allegation in the FIR is that for a petty matter on demand Rs. 20/- for a water bottle, the petitioner and the other accused persons opened fire, the informant saved herself, when her husband came out, he suffered injury.

5. Considering the aforesaid fact as also that he has criminal antecedent for the present, this Court is not inclined to extend him privilege of bail, which is accordingly rejected.

(Rajiv Roy, J)

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