

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63179 of 2024

Arising Out of PS. Case No.-111 Year-2024 Thana- PIRBAHOR District- Patna

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1. Shahbaz @ Md. Shahbaz@ Md. Shahwaz S/O Md. Naseem @Naseem R/O- Mohalla Sabzibagh, P.S- Pirbahore, Distt- Patna
 2. Wasim @Md. Wasim @ Md. Tareeqe @ Tarik S/O Md. Naseem@Naseem R/O- Mohalla Sabzibagh, P.S- Pirbahore, Distt- Patna
 3. Md. Shahnawaz @ Jain S/O Md. Naseem@Naseem R/O- Mohalla Sabzibagh, P.S- Pirbahore, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Choudhary

For the Opposite Party/s : Mr. Anish Chandra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-10-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek bail in anticipation of their arrest in Pirbahore P. S. Case No. 111 of 2024 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. The learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant. It is next submitted that on account of an altercation in between both the sides, a scuffle took place, thereafter it is alleged that firing was made from side of the petitioners causing firearm injury to the injured. The learned counsel submits that allegation of firing is not specific. It is further submitted that from side of the petitioners also some people have suffered firearm injury, it is thus submitted that both sides indulged



in firing on account of which injury was caused on both the sides. It is also submitted that the parties have compromised.

4. The learned APP for the State opposes the anticipatory bail application of the petitioner and submits that though allegation of firing is not specific, but then what is not disputed rather stands admitted is that the informant received firearm injury on his chest and Hamad received firearm injury on his hand and chest. It is next submitted that compromise entered definitely points to the fact that side of the petitioners have coerced the informant and his side to enter into a compromise or else a person who has been shot in his chest would not have entered into a compromise. It is also submitted that offences are not compoundable.

5. Considering the submissions made by the learned APP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

6. Accordingly, the instant anticipatory bail application is rejected.

(Satyavrat Verma, J)

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