

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59355 of 2023

Arising Out of PS. Case No.-131 Year-2022 Thana- ASARGANJ District- Munger

PANKAJ SAH S/O LATE AGHNI SAH VILLAGE RAGHUCHAK ANDAR,
P.S SULTANGANJ, DISTRICT BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha
For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 29-02-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Asarganj P.S. Case No. 131 of 2022 dated 12.08.2022 registered under Sections 302/34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case on 11.08.2022 the son of the informant was in the field for cattle grazing, in the meanwhile, the petitioner along with other accused persons arrived there and told him to remove the cattle from the field and when it was objected by the informant's son, the petitioner took out his country made pistol and fired upon the son of the informant due to which he died.

4. Learned counsel for the petitioner submits that there is case and counter case between the parties inasmuch as in



Asarganj P.S. Case No. 130 of 2022 where petitioner’s sister-in-law is the informant it has been alleged that when the informant was cutting grass and her husband was accompanying her, in the meanwhile, the accused persons from the side of the informant arrived there and started assaulting the brother of the petitioner due to which he died. Learned counsel submits that from both sides one person has died. The reason behind the occurrence is land dispute and there is dispute regarding cutting grass and grazing of cattle.

5. Regard being had to the submission made by the parties, taking into consideration the fact that petitioner is named in the F.I.R. and there is specific allegation of firing upon him causing death of informant’s son, as such, I am not inclined to grant anticipatory bail to the petitioner.

6. The prayer for anticipatory bail is rejected.

(Anil Kumar Sinha, J)

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