

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77026 of 2023

Arising Out of PS. Case No.-247 Year-2023 Thana- KUDRA District- Kaimur (Bhabua)

Shri Bhagwan Singh, S/o Late Rambali Singh, Resident of Village -
Madhubani, P.S. - Kudra, District- Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vishwajeet Kumar Mishra, Advocate
For the State	:	Mr.Arun Kumar, APP
For the Informant	:	Mr. Ashok Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. In the present case, the petitioner is apprehending his arrest in connection with Kudra P.S. Case No. 247 of 2023, registered for the alleged offences under Sections 147, 148, 149, 323, 307 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, in the background of previous land dispute and monetary dispute between the parties, the petitioner fired upon the informant and the shot hit the informant in his left thigh.

4. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case in the



background of land dispute which is admitted in the FIR. The present case is counterblast of Kudra P.S. Case No.251 of 2023 registered for the offence under Sections 147, 148, 149, 447, 323, 379, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act and the said case was instituted by the wife of the petitioner against the informant and his family members. The learned counsel further submits that the injury report shows the nature of injury is simple. In the circumstances, no offence under Section 307 IPC is made out against the petitioner. The petitioner has got no criminal history.

5. Learned APP as well as learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioner. The learned counsel for the informant submits that the petitioner fired upon the informant and the informant received the firearm injury.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the specific allegation of using firearm against the petitioner, I do not find it is a fit case for grant of anticipatory bail to the petitioner.

7. Accordingly, his prayer for grant of anticipatory bail is rejected.



8. However, the petitioner may surrender before the
learned court below and seek regular bail.

(Arun Kumar Jha, J)

V.K.Pandey/-

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