

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77990 of 2024

Arising Out of PS. Case No.-197 Year-2024 Thana- NAUHATTA District- Saharsa

Subhash Chandra Jha @ Subhash Jha @ Beer Jha Son of Late Madan Mohan Jha r/o-Village- Muradpur Ward No 07, Murajpur, Post -Muradpur, P.S.- Nauhatta, District -Saharsa, State- Bihar, PIN -852123

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Jha, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 27-11-2024 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Nauhatta PS case no. 197 of 2024, disclosing offences punishable under Section 126(2) and other allied sections of B.N.S. Act and Section 27 of Arms Act.
3. The prosecution story, as per the First Information Report, is that there is allegation against the petitioner along with other accused persons that they were pressurizing the informant to enter into compromise in Nauhatta PS case no. 173 of 2023 and when the informant refused to do so, the petitioner along with other accused persons entered into the house of informant, assaulted her with lathi, danda, due to which, her



hand was broken and the petitioner fired upon the informant in order to kill her but the nephew of the informant sustained firearm injury.

4. Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of concocted story, inasmuch as the informant's husband and son were creating nuisance near the temple on the occasion of Janmastami and when objected by the petitioner, firing was made by the son of the informant, due to which, nephew of the petitioner sustained firearm injury. Learned counsel further submits that the relative of the informant is posted at D.I.G. Office and when the petitioner went to lodge the counter case, the same was not accepted and as such, complaint has been lodged stating the real story, which is annexed as Annexure-2 to this petition.

5. On the other hand, learned APP for the State vehemently opposed the prayer for anticipatory bail and submits that there is specific allegation against the petitioner and others that they assaulted the informant, due to which, her hand was broken, her modesty was outraged and firing was also made by the petitioner, due to which, one person has sustained firearm injury. Learned counsel further submits that the hand of the



informant was found fractured, as would be evident from medical report, discussed in the impugned order.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the specific allegation of firing by the petitioner and the fact that the hand of the informant was found fractured, I am not inclined to grant the privilege of anticipatory bail to the petitioner.

7. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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