

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78139 of 2024

Arising Out of PS. Case No.-51 Year-2024 Thana- PARBATTa District- Khagaria

Aman Singh @ Aman Kumar Singh Son of Mantun Singh Resident of Village
- Aguwani, P.S. - Parbatta, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Budhilal Yadav
For the State : Mr.Murli Dhar
For the informant : Mr. Hira Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 02-12-2024 1. Heard learned Counsel for the petitioner, learned Counsel for the informant and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Parbatta Police Station Case No. 51 of 2024, dated 05.02.2024, disclosing offences punishable under Sections 341/323/307/504/506/34 of the Indian Penal Code and Section 27 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that while the informant, along with his son, was going to school, the accused persons, fourteen in numbers, surrounded them, started abusing them and asked them to withdraw the cases and on refusal by the informant, co-



accused Mantun Singh and the petitioner fired upon the informant, which hit him in his abdomen and co-accused persons, namely, Shivam Kumar and Rajan Kumar fired upon the informant's son, which hit him in his chest. It has further been alleged that when the informant's father tried to save the informant, co-accused Shambhu Bhushan Singh fired upon him, which hit him in his right finger.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to previous enmity. He further submits that there is case and counter case and the petitioner has lodged Parbatta Police Station Case No. 49 of 2024, in which he has alleged that the informant and his son fired upon him, which hit him in his chest. He further submits that the petitioner was treated by a private doctor and he was not examined by the doctor of Primary Health Centre. He further submits that there was free fight between the parties, in which both sides have received fire arm injuries. He further submits that in the case filed by the petitioner, the informant and his son has been granted bail by the learned District Court itself.
5. On the other hand, learned Additional Public Prosecutor



and learned Counsel for the informant vehemently opposes the prayer for bail and submits that there is direct allegation of firing upon the petitioner at the informant, due to which the small intestine of the informant was ruptured at six places. They further submit that the petitioner has got criminal antecedents also.

6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there is direct allegation of firing against the petitioner, which hit the informant in his abdomen and the doctor has found rupture of small intestine of the informant at six places, I am not inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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