

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80830 of 2024

Arising Out of PS. Case No.-422 Year-2022 Thana- BHELDI District- Saran

Pintu Kumar S/O Late Chandeshwar Ray R/O village - Basatpur, P. S -
Bheldhi , District – Saran Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Adv.
For the Opposite Party/s : Mr. Md. Matloob Rab, APP
For the Informant : Ms. Rajni Kumari, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-12-2024 Heard Mr. Hemant Kumar, learned counsel appearing
on behalf of the petitioner and learned Additional Public
Prosecutor for the State. The informant is represented through Ms.
Rajni Kumari, learned Advocate.

2. The petitioner apprehends his arrest in connection
with Bheldi P.S. Case No. 422 of 2022, registered for the offences
punishable under Sections 447, 341, 323, 307, 504, 506 and 34 of
the Indian Penal Code and 27 of the Arms Act.

3. Allegedly on the fateful day, the petitioner along with
others came on the door of the informant and started abusing him,
when the same was protested by his son, the co-accused Kalavati
Devi assaulted him by means of *lathi*. It is further alleged that
when the daughter of the informant came to his rescue, thereupon,
on the exhortation made by the co-accused Chandrama Rai, this
petitioner wiped his pistol and fired upon the daughter of the
informant due to which she sustained injury.

4. Learned counsel appearing on behalf of the petitioner submits that admittedly both the parties are agnates as is evident from the FIR. However, only on account of family feud and land dispute, the name of the petitioner has been implicated with specific allegation of firing. The learned Court Sessions Court while refusing the prayer for bail of the petitioner has not even disclosed that the injury sustained to the injured is caused by firearm.

5. On the other hand, learned counsel for the State and the informant vehemently opposed the pre-arrest bail application and submit that specific allegation has been levelled against the petitioner of causing firearm injury.

6. Regard being had to the submissions made on behalf of the parties and considering the specific nature of accusation of causing firearm injury upon the daughter resulting into serious injuries; this Court is not acceded to the prayer of the petitioner.

7. The prayer for anticipatory bail of the petitioner stands rejected.

(Harish Kumar, J.)

Jyoti Kumari/-

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