

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35521 of 2025

Arising Out of PS. Case No.-718 Year-2020 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Chhathu Lal Singh S/o Rama Shankar Singh, R/o Village- Tiyara, P.S.-
Rajpur, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Advocate.
For the Opposite Party/s : Mr. Lalan Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

5 19-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Protest-cum-Complaint Case No.718(C) of 2020, arising out of Rajpur P.S. Case No.46 of 2020 instituted under Section 307, 326, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, on 26.02.2020 when the complainant went to attend nature's call, in the meantime three accused persons including the petitioner came on a motorcycle and fired upon him due to some land dispute. It is alleged that the petitioner fired bullet on the complainant which struck on his left shoulder. One other bullet was also fired by the



co-accused Manoj Kumar Singh which missed the target and all the three accused persons managed to escape on their motorcycle from the place of occurrence.

4. Learned counsel for the petitioner submits that this is the second anticipatory bail on behalf of petitioner. Earlier the petitioner had filed anticipatory bail application being Cr. Misc. No.50234 of 2024 alongwith two other co-accused persons, namely, Manoj Kumar Singh and Sonu Kumar. Since the petitioner was arrested in subsequent case bearing Rajpur P.S. Case No.194 of 2024 for the offence punishable under Sections 302, 120(B)/34 of the Indian Penal Code and was taken into custody, therefore, the bail application on behalf of petitioner was withdrawn and the other co-accused persons have been granted anticipatory bail by this Court *vide* order dated 31.08.2024 passed in Cr. Misc. No.50234 of 2024. He further submits that petitioner is innocent and has falsely been implicated in this case due to land dispute between the parties and both the parties are close relative. Learned counsel submits that earlier the F.I.R. bearing Rajpur P.S. Case No.46 of 2020 was lodged by the complainant, however, after completion of investigation, the Investigating Officer has submitted final form showing the case to be true but clueless against unknown



accused persons and exonerated the F.I.R. named accused persons including the petitioner, but on the protest petition, cognizance has been taken by the Court concerned against the petitioner also. He further submits that the injury sustained by the complainant was simple in nature and due to land dispute petitioner has been falsely implicated in this case. Learned counsel submits that the complainant later on murdered, for which Rajpur P.S. Case No.194 of 2024 was lodged and petitioner was arrested. However, in that case also the petitioner has been falsely implicated and was granted regular bail by the Co-ordinate Bench of this Court *vide* order dated 06.02.2025 passed in Cr. Misc. No.74865 of 2024.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that there is specific allegation of firing upon the complainant against the present petitioner. He further submits that although the injury sustained by the injured shows simple in nature but the same was caused by firearm which corroborate the version of the complainant. Learned A.P.P. submits that the petitioner, later on also involved in the murder of the complainant.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties as well as the



nature of allegation levelled against the petitioner, as stated above, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for anticipatory bail is, hereby, rejected.

(Sunil Dutta Mishra, J)

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