

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39284 of 2025

Arising Out of PS. Case No.-324 Year-2024 Thana- SANDESH District- Bhojpur

Sujit Kumar Yadav @ Sujit Kumar, S/O Raj Kumar Yadav @ Raj Kumar Singh, R/O Village-Salimpur,,PS- Chandi, Distt- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priya, Advocate
For the State : Mr. Damodar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 01-07-2025 Heard Mr. Prabhat Kumar Singh, learned counsel for the petitioner and Mr. Damodar Tiwary, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Sandesh P.S. Case No.324 of 2024 instituted for the offence punishable under Sections 191(2), 191(3), 190, 127(2), 115(2), 109, 125(a), 303(2) of B.N.S., 2023 and Section 27 of the Arms Act.

3. The case of the prosecution is that on 21.11.2024 the informant along with his friend Nitish Kumar were attacked by the petitioner and his 10-11 associates while the informant and his friend both were trying to flee away in rescue. It is alleged that the petitioner fired using firearm resulting bullet injury to the informant.

4. The learned counsel for the petitioner has submitted



that from perusal of the F.I.R., it will transpire that the informant has stated that the gun shot injury only touched him and went forward whereas from perusal of the injury report (Annexure-2), it will transpire that the doctor has found obliquely lacerated wound on right iliac crest about 1½ cm and the margin of wound was blackening, 22 cm right to mid line of lower abdomen and just about to right iliac crest. Learned counsel for the petitioner has also submitted that there is not repetition of fire. The occurrence was not premeditated. Learned counsel for the petitioner has also filed a supplementary affidavit which goes to show that the petitioner is having criminal antecedent of four cases in all those cases, he is on bail.

5. Learned APP appearing for the State has vehemently opposed the prayer for bail of the petitioner and submitted that petitioner is having direct allegation of firing which is substantiated by Annexure-2 and he is also having criminal antecedent of four cases.

6. Considering the above facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner and, as such, his application for bail is rejected.

(Ashok Kumar Pandey, J)

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