

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90349 of 2024

Arising Out of PS. Case No.-180 Year-2024 Thana- PALIGANJ District- Patna

Kundan Kumar Tuntun Rajak Resident of Village- Pariyo, P.S.- Paliganj,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Krishna Pd. Singh, Sr. Advocate
	:	Mr.Saket Kr. Singh, Advocate
For the Opposite Party/s	:	Mr.Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 04-02-2025 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Paliganj PS case no. 180 of 2024, disclosing offences punishable under Section 307 and other allied sections of the Indian Penal Code and Section 27 of Arms Act.
3. The prosecution story, as per the First Information Report, is that on 14.05.2024 at about 8.30 pm, informant was going alone towards his house and reached near Sarwanand Singh Dalaan, where petitioner along with other accused persons were waiting from before. When they reached near the informant, on the order of other accused persons, petitioner shot at the informant and the bullet hit below the chin of the



informant.

4. Learned Senior Counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has been made accused due to land disputes between the parties, which would be evident from F.I.R. itself. Learned counsel further submits that from injury report, annexed as Annexure-2 to the present petition, it appears that information regarding nature of injury has not been mentioned and the doctor has advised x-ray of the face but it has not yet been submitted. He also submits that both parties entered into compromise and have filed joint compromise petition before the concerned court.

5. I have heard learned counsel for the parties and gone through the materials on record including impugned order. There is specific allegation of firing against the petitioner. The bullet allegedly hit near the chin and lacerated wound of size 1cmx 1cm has been found near the chin of the informant. Accordingly, I am not inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, rejected.

7. However, if petitioner surrenders before the learned District Court and seeks regular bail, his regular bail application may be decided by the concerned District Court without being



prejudiced that anticipatory bail application has been rejected by
this Court.

(Anil Kumar Sinha, J)

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