

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55866 of 2015

Arising Out of PS.Case No. -11 Year- 2015 Thana -MANPUR District-
WESTCHAMPARAN(BETTIAH)

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Sk. Bairister son of Late Ali Hussain @ Late S.K. Ali Hussain, resident of
village- Parsauni, P.S.- Sahodra, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
: Mr.Mritunjay Kumar, Advocate
For the State : Mr. Nitya Nand Tiwary, APP
For the Informant : Mr. Nesar Ahmad, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 14-12-2015 Heard learned counsel for the petitioner, learned counsel
for the State and learned counsel for the informant.

The petitioner seeks bail in connection with Manpur
P.S. Case No.11 of 2015 registered under sections 147, 148, 149,
341, 323, 307 and 504 of the Indian Penal Code and section 27 of
the Arms Act.

It is contended that though there is allegation against the
petitioner that he opened fire, no injury was caused to any one. It
is further contended that the informant is not a witness to the
occurrence and the petitioner has been implicated in the case due
to enmity existing between the parties from before.

Learned counsel for the informant has opposed the prayer for bail and contended that the petitioner is a dread criminal and he being a member of an unlawful assembly opened fire along with other co-accused persons causing pellet injuries to six persons.

Regard being had to the facts and circumstances of the case, I am not inclined to grant bail to the petitioner for the present. Accordingly, his prayer for bail is rejected.

The learned jurisdictional Magistrate is directed to commit the case to the court of sessions for trial forthwith.

In case the trial is not concluded within six months from the date of framing of charge, the petitioner would be at liberty to renew his prayer for bail before the court below itself.

(Ashwani Kumar Singh, J)

Md.S./-

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