

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6415 of 2016

Arising Out of PS.Case No. -195 Year- 2013 Thana -ARA NAGAR District- BHOJPUR

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Md. Naim @ Sahatua @ Md. Naim Mian S/o Late Md. Amin Miya
Resident of Village- Dharhara Ara, P.S Ara Town, District Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Amit Bhushan, Advocate.

For the Opposite Party : Mr. Kr.Virendra Narayan(APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 07-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Ara
Town P.S. Case No.195 of 2013 (G.R. No. 2021 of 2013)
registered for the offences punishable under Sections 307/34 of the
Indian Penal Code and under Section 27 of the Arms Act.

Allegedly, due to land dispute the petitioner and two
unknown came and petitioner shot the husband of the informant
causing injury just beneath his left eye, resulting the husband of
the informant fell down.

The submission is of false implication and that no
offence under Section 307 of the Indian Penal Code is made out,
the petitioner has not repeated the shot and as such, he deserves

sympathetic consideration as he is suffering in custody since 31.07.2015.

Learned A.P.P. seriously opposes the prayer of bail by submitting that the petitioner has caused firearm injury on the vital part and further from his confessional statement, it reveals that he was caught with pistol and cartridges and the petitioner has got criminal antecedent. Earlier he was also involved in the cases under Section 302 of the Indian Penal Code.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner and further his criminal antecedent, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer of bail stands rejected

(Jitendra Mohan Sharma, J.)

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