

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.12850 of 2016**

Arising Out of PS.Case No. -317 Year- 2015 Thana -NAUTAN District-  
WESTCHAMPARAN(BETTIAH)

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1. Israj Mian @ Israz Miyan Son of Ata Hussain Mian, resident of Village-  
Shivrajpur Jarlahiya Tola, Police Station- Nautan, District- West  
Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Nawal Kishore Pd.(App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

3      19-04-2016                      Heard learned counsel for the petitioner as well as  
  
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the  
  
offences punishable under Section 307 and other minor sections of  
  
the Indian Penal Code and Section 27 of the Arms Act.

There is allegation against the petitioner that he  
  
opened fire causing firearm injury on the chest of the injured. No  
  
doubt, the alleged occurrence appears to have taken place on  
  
account of land dispute but the allegation is very serious in nature.

So far as the injury of the injured is concerned,  
  
learned counsel for the petitioner points out that injured is said to  
  
have been examined by the doctor of M.J.K. Hospital on

13.09.2015 but the aforesaid doctor did not mention the date on which the aforesaid injured was examined and moreover, after that injured is said to have been examined by a private doctor at Rahmania Medical Centre and, therefore, the injury reports of injured of the present case are not reliable but I am not at all convinced with the aforesaid submissions because the injury reports of injured show that injured sustained grievous injury on his chest said to be caused by firearm and the aforesaid injury reports corroborate the accusation levelled against the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail, at least, at this stage and hence, his prayer for bail in connection with Nautan P.S. Case No. 317 of 2015 corresponding to Sessions Trial No. 126 of 2016 pending in the court of learned Additional Sessions Judge-VI, Bettiah, West Champaran stands rejected.

However, petitioner may renew his prayer for bail after six months, if his trial is not concluded within the above stated period of six months.

**(Hemant Kumar Srivastava, J)**

SHAHZAD/-

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