

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31382 of 2016

Arising Out of PS.Case No. -509 Year- 2011 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Md. Sahzada @ Sahjada @ Billa @ Mir Sajjad Baig @ Mirza Sajjad Baig
Son of Sahane @ Mir Zafrul Baig, Resident of Mohalla - Shahbaznagar,
Hussainpur, Police Station Mojahidpur, District - Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Syed Masleh-Uddin Ashraf, Advocate

For the Opposite Party/ : Mr. Sri Durgesh Nandan (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 19-09-2016

Heard learned counsel for the petitioner and learned

counsel representing the State.

The petitioner seeks bail in connection with S.Tr. No.
173 of 2016 arising out of Kotwali (Tarapur) P.S Case No. 509 of
2011 registered for the offences punishable under Section 307/34
of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, the petitioner shot bullet on the informant
by fire arm thereby caused injury in left side of chest, left hand
and above the waist in left side and right hand of the informant
causing serious injury to him and the informant was treated as
Jawahar Lal Nehru Medical College, Bhagalpur and thereafter at
Patna.

Submission is of false implication and that the petitioner is in custody since 02.02.2016, charges have already been framed, but up till now no prosecution witness has been examined and in near future the trial is not likely to be concluded and as such, the petitioner deserves sympathetic consideration.

Learned APP seriously opposes by submitting that several injuries were caused to the informant by the petitioner and he is assailant.

In the facts and circumstances stated above, considering the fire arm injury, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected, in connection with S.Tr. No. 173 of 2016 arising out of Kotwali (Tarapur) P.S Case No. 509 of 2011, pending in the Court of learned Additional District and Sessions Judge VI, Bhagalpur.

However, the petitioner may renew his prayer of bail after remaining nine months in custody in this case. .

(Jitendra Mohan Sharma, J.)

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