

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22992 of 2016

Arising Out of PS.Case No. -65 Year- 2016 Thana -MANJHI District- SARAN

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Santosh Sah, S/o Late Paras Sah, R/o Village- Makhdumganj, P.S.- Manjhi,
District- Saran at Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party : Mr. Sangita Sharma(APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-08-2016 A supplementary affidavit has been filed on behalf of

the petitioner, same is kept on record.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody in connection
with Manjhi P.S. Case No. 65 of 2016 for the offences instituted
under Sections 341, 323, 307, 379/34 of the Indian Penal Code
and Section 27 of the Arms Act.

The prosecution story in brief, is that on 19.03.2016
he was going to his house after closing his shop and when he
reached at Tinmuhanani near the garden of one Babulal, accused
Santosh Sah, Ashok Sah, Niraj Srivastava and Dharmendra Yadav
who were riding on two motorcycles, asked him to stop, as soon as

the informant stopped his motorcycle, the accused Santosh Sah fired from his pistol to which the informant sustained injury on his chest and the informant fell down.

It has been submitted on behalf of the petitioner that petitioner is in custody since 21.03.2016. Charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses against the petitioner. Petitioner has falsely been implicated in the present case. There is land dispute between the parties. The injury sustained by the informant is said to be due to motorcycle accident.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R. The injury report suggests fire arm injury and the said injury is said to be grievous in nature.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner at this stage. The same is rejected in Manjhi P.S. Case No. 65 of 2016, pending in the court of learned A.C.J.M.-5th, Saran at Chapra.

(Sudhir Singh, J.)

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