

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26107 of 2016

Arising Out of PS.Case No. -191 Year- 2015 Thana -KISHUNPUR District- SUPAUL

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Santosh Shah, Son of Sri Mahendra Shah, Resident of Village- Saraigarh,
P.S.- Kishanpur, District- Supaul.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 10-08-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Kishanpur
P.S. Case No.191 of 2015 registered under Sections 341, 323, 307
and 504/34 of the Indian Penal Code besides Section 27 of the
Arms Act.

The accusation is that due to dispute with regard to the
partition of the land, the petitioner shot fire at the chest of Ashok
Kumar Shah, the son of the informant, Gajendra Narain Shah.

Learned counsel appearing on behalf of the petitioner
submits that it would appear from the F.I.R. that the occurrence
took place due to dispute of partition of the landed property

between the parties in which it is alleged that the petitioner shot fire at Ashok Shah, the son of the informant. The informant and the petitioner are Gotiyas.

The photocopy of the injury report (Annexure-‘2’ to this application) of the injured Ashok Shah, shows that one firearm injury on scapular region was found on his person, which is said to be grievous in nature.

The report, as called for vide order dated 04.07.2016, has been received from the Additional Sessions Judge-II, Supaul vide letter no.73 of 2016 dated 21.07.2016 from which it appears that the Sessions Trial No.148 of 2016 with respect to the petitioner is running for framing of charge.

Having regard to the facts and circumstances of the case, I am not inclined to release the petitioner on bail. Accordingly, the prayer of the petitioner for grant of bail stands rejected.

(Rajendra Kumar Mishra, J)

P.S./-

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