

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7418 of 2017

Arising Out of PS.Case No. -141 Year- 2016 Thana -DHURAIYA District- BANKA

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1. Md Saddam, Son of Md. Murshid, Resident of village - Bishanpur, P.S.
Dhoraiya, District - Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Priya Saran Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Dhoraiya
P.S Case No. 141 of 2016 (G.R. No. 1588 of 2016) registered for
the offences punishable under Sections 341, 323, 504/34 of the
Indian Penal Code and Section 27 of the Arms Act.

Allegedly, the petitioner fired upon the informant
which hit her right knee.

Submission is of false implication and that the
petitioner is suffering in custody since 26.10.2016 after his
surrender, there was no intention to commit murder and, as such,
offence under Section 307 of the I.P.C. is not made out though
chargesheet has been submitted under Section 307 of the I.P.C.



also, no arms has been recovered from the possession of the petitioner and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P opposes the prayer of bail by submitting that from impugned order, it reveals that injury found on the informant also support the version of the informant.

In the facts and circumstances stated above, at present, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Dhoraiya P.S. Case No. 141 of 2016 (G.R. No. 1588 of 2016), pending in the court of Sri Pankaj Chauhan, learned Additional Chief Judicial Magistrate, IV, Banka.

However, the petitioner is at liberty to renew his prayer for bail after remaining nine months in custody.

(Jitendra Mohan Sharma, J.)

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