

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13367 of 2017

Arising Out of PS.Case No. -215 Year- 2016 Thana -DIGHA District- PATNA

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Dilip Sah, Son of Late Bharat Sah, Resident of Machchua Toli, P.S.
Danapur, District-Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav

For the Opposite Party/s : Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 23-03-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is an accused in connection with Digha
P.S. Case No. 215 of 2016, registered under Sections 393 and 397 of
Indian Penal Code, pending in the Court of SDJM, Patna.

The accusation is that on 30.08.2016 at about 10.00 A.M.
informant moved for marketing from his house. In the way, one person
came and caught his bicycle and on the point of pistol and tried to
snatch his bag. When informant made protest then he made firing on
him, but the same was missed and thereafter he caused assault to the
informant by the butt of the pistol. On raising hulla, nearby people
reached there and he was apprehended, who disclosed his name as
Dilip Sah (Petitioner). On search, one country made pistol and Rs.
25000/- was recovered from the possession of the petitioner.

Learned counsel appearing on behalf of the petitioner



submits that petitioner is innocent and he has falsely been implicated in this case. Further submission is that petitioner has no criminal antecedent and after apprehending in the present case, the petitioner has been remanded in Digha P.S. Case No. 214 of 2016 for the offence under Section 25(1-b)a, 26 of Arms Act for recovery of pistol and also in Digha P.S. Case No. 215 of 2016 under Section 393/397 of I.P.C. making attempt to consume phenyl by this petitioner.

Learned counsel for the State vehemently opposed the prayer of the petitioner.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, at present the prayer of the petitioner, above named, is rejected.

(Rajendra Kumar Mishra, J)

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