

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7690 of 2017

Arising Out of PS.Case No. -50 Year- 2015 Thana -AJIMABAD District- BHOJPUR

Awadhesh Singh son of late Jag Narain Singh,

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 21-02-2017

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody in connection with Azimabad P.S. Case No. 50 of 2015 for the offences punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Three persons including the petitioner allegedly fired causing injury at the back of the father of the informant. Post mortem report reveals that the doctor has found injury No.2 the wound of entry at the left waist on the lateral part and another wound of entry vide injury No.4 at the front of the chest and one more wound of entry vide injury No.6 at the back of left upper shoulder.

Submission of the petitioner is that out of three injuries i.e., wound of entry one is at the chest which belies the



statement of the first informant. Petitioner is in custody since 16.09.2016.

On the other hand, learned counsel for the State submits that for the purpose of bail the informant cannot be disbelieved, who is eyewitness of the occurrence, specially when the doctor has found three wound of entry and three wound of exit and it is only opinion of the doctor regarding the injury found at the chest whether it is wound of entry or wound of exit.

Considering the nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail. The bail prayer of the petitioner is refused. The learned trial Court is directed to expedite the trial.

Mkr./-

(Birendra Kumar, J)

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