

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27124 of 2017

Arising Out of PS.Case No. -236 Year- 2016 Thana -SHASTRINAGAR District- PATNA

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1. CHHOTU @ MENTAL @ SHASHI RANJAN @ CHHOTU MENTAL
Son of Shri Birendra Dubey Resident of Jai Prakash Nagar, Road No. 03,
P.S. - Rajeev Nagar, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Lal

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-08-2017 The petitioner seeks regular bail in connection with

Shastrinagar P.S. Case No. 236 of 2016, registered for offences

punishable under Sections 324 and 307 of the Indian Penal Code

and 27 of the Arms Act.

Allegation against the petitioner is of firing on the
informant causing injury to him.

It has been submitted on behalf of the petitioner that from

the perusal of the F.I.R itself it will appear that the firing made

was the petitioner was not intentional and accidentally it hit the

informant and, therefore, there is no applicability of Section 307

of Indian Penal Code in this case and at best a case under Section

308 can be made out. Further petitioner has been in judicial

custody for more than seven months.



Learned counsel for the State opposed the prayer for bail on the ground that the injury caused to the informant was found to be grievous in nature.

Having heard both sides, considering the facts and circumstances of the case and the injury being grievous in nature, at this stage, I am not inclined to release the petitioner on bail, his application for regular bail is, accordingly, rejected.

However, the petitioner may renew his prayer for bail after framing of charge in this case.

(Vinod Kumar Sinha, J)

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