

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2806 of 2017

Arising Out of PS.Case No. -71 Year- 2017 Thana -MUSAHRI District- MUZAFFARPUR

=====

1. Md. Sahmad Son of Md. Maqbul, R/o Village- Salha, P.S.- Mushahri,
District- Muzaffarpur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Nachiketa Jha

For the Respondent/s : Smt Usha Kumari No-1

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-10-2017 The appellant seeks pre arrest bail in connection with

Mushari P.S. Case No. 71 of 2017, registered for offences

punishable under Sections 307 of Indian Penal Code, Section 27 of

the Arms Act and Section 3(1)(r)(s) of SC/ST Act.

Allegation against the appellant is of indiscriminate firing

in the marriage ceremony and one of his bullets hit the maternal

grand daughter of the informant (natini) causing injury to her.

It has been submitted on behalf of the appellant that there

was no intention to hit anyone and he was only shooting in the air

in a marriage ceremony and one of his firing accidentally hit *natini*

of the informant causing injury to her, however, it is the appellant,

who took the injured to the hospital for her treatment.

Heard learned Special P.P. also as well as learned



counsel for the informant. They have opposed the prayer for bail.

Having heard both sides, considering the facts and circumstances of the case and nature of allegation, I am not inclined to grant the appellant, privilege of pre arrest bail rather appellant should surrender before the special court and make prayer for regular bail and if any such application is filed, the special court after considering the submission of learned counsel for the appellant that the said firing was only accidental and it is the appellant, who took the injured to hospital, shall pass an appropriate order, preferably on the same day, without being prejudiced by the order of this Court.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

sunil/-

U		T	
---	--	---	--

