

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42480 of 2018

Arising Out of PS.Case No. -97 Year- 2018 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

=====

1. Jhandu Paswan Son of Ramjatan Paswan Resident of Village- Barandi,
P.S. Rahui, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anita Kumari

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6 26-09-2018 Supplementary affidavit has been filed on behalf of

petitioner stating that two other cases are also pending against this

petitioner.

Heard learned counsel for the petitioner, the informant
and the learned A.P.P. for the State.

The petitioner seeks bail in Rahui P.S. Case No.
97/2018, instituted for the offences under Sections 147, 149, 323,
504, 506, 307 and 324 of the Indian Penal Code read with Section
27 of Arms Act.

Learned counsel for the petitioner has submitted that in
the F.I.R., informant has levelled specific allegation against this
petitioner of causing firearm injury to his daughter Poonam
Kumari, but in his further statement he has levelled allegation of



firing against other accused persons, namely, Anil Paswan and Ajit Paswan.

Learned counsel for the informant has submitted that victim girl was admitted in P.M.C.H. for treatment. In the P.M.C.H., her statement was recorded by S.I. of Pirbahore Police Station wherein she has levelled specific allegation against this petitioner of causing firearm injury to her on the chest. It has been submitted that aforesaid statement is not brought on record in the instant case by the I.O. of the case. He has obtained the copy of aforesaid statement of the victim girl, recorded in P.M.C.H., under RTI Act, which has been annexed with counter affidavit as Annexure-A.

Injury report is available in case diary which shows that victim has sustained total three injuries out of which two injuries are found on chest caused by firearm.

Considering the specific allegation against the petitioner, this Court is not inclined to grant bail to him. Accordingly, prayer for bail of petitioner is rejected.

Learned counsel for the informant is directed to bring into notice of S.P., Patna about Annexure-A of the counter affidavit, which is statement of victim recorded by the I.O.

The police is directed to take into consideration



Annexure-A of the counter affidavit, filed on behalf of informant, during investigation.

The petitioner is given liberty to renew his prayer for bail after six months in the event no substantive progress is made in trial.

(Sanjay Priya, J.)

Rakhi

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

