

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61037 of 2018

Arising Out of PS. Case No.-394 Year-2018 Thana- BUXAR District- Buxar

Sajid Ansari @ Sajid Hussain, Son of Mohamad Ansari @ Md. Master,
resident of Village- Nai Bazar Ward No. 08, P.S.- Buxar (T), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aditya Nath Pandey, Advocate.
For the informant	:	Mr. Nil Kamal, Advocate.
For the State	:	Mr. Narendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 22-11-2018 Heard learned counsel for the petitioner, counsel for
the informant and the State.

The petitioner seeks bail in Buxar (T) P.S. Case No.
394 of 2018 instituted for the offence under Sections 307, 326,
504, 506/34 of the Indian Penal Code and Section 27 of the
Arms Act.

In the written report it is alleged that informant is
running a JIM. On the date of occurrence while all the boys
were doing Jim, this petitioner along with other accused persons
as named in the written report armed with lathi, danda, hockey
stick, etc. came to assault Ankit Roy. The informant objected,
then all the accused persons abused the informant and
threatened him. On hearing hulla local people arrived then all



the accused persons fled away. It is further alleged that later on the petitioner along with other accused persons as named in the written report came on Motorycle. The petitioner and co-accused Ripu Sah started making firing with pistol on him. Ripu Sah caused bullet injury to the informant on his right jaw. Thereafter, second bullet injury was caused by the petitioner in the left shoulder of the informant. The informant started shouting and running away, then co-accused Kallu Ansari and Suraj Mali started chasing him and continued firing on him which hit on his right shoulder. It is further alleged that informant sustained firearm injuries in other parts of his body as mentioned in the written report. He was taken to Sadar Hospital for treatment from where he was referred to Rajeshwar Hospital for better treatment.

Counsel for the petitioner submits that occurrence is said to have taken place on 14.07.2018 and First Information Report has been lodged on 21.7.2018 i.e. after lapse of one week. The police had arrived at Rajeshwar Hospital and recorded the statement of informant. Counsel for the petitioner further submits that there is contradiction in statement of informant and another injured person namely Govind Kumar who was sitting by the side of the informant. The Statement of



Govind Kumar has been recorded by the police which is available in paragraph-59 of the case diary wherein he has stated that he has not identified the accused person due to darkness.

This Court finds that in the written report there is specific allegation against the petitioner of causing firearm injuries on the shoulder of the informant which also finds support from the injury report.

The doctor has found as many as eight firearm injuries on the person of injured.

Therefore, this Court is not inclined to grant bail to the petitioner at this stage.

Prayer for bail of the petitioner stands rejected.

The trial court is directed to expedite the trial and make efforts to conclude the same as early as possible.

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(Sanjay Priya, J)

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