

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.115 of 2019

Arising Out of PS. Case No.-264 Year-2018 Thana- BEGUSARAI TOWN District- Begusarai

Subham Kumar @ Shuvam Kumar, Son of Shri Manoj Kumar Singh, vill-
Dothi, P.S-Parbatta, Distt.-Khagaria, presently residing in Samboday Nagar,
P.S-Town and P.S in the district of Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhu Narayan Sharma

For the Opposite Party/s : Mr.Sri Uday Chand Prasad

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 20-02-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 307/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Petitioner is said to have resorted firing on the
chest of the informant by means of pistol while his accomplice
namely Mohit Kumar also resorted firing upon the informant
but it did not hit him.

It is submitted by learned counsel for the
petitioner that the petitioner is quite innocent. He has committed
no offence. He has no concern with the aforesaid occurrence. He
has been falsely implicated in the case due to animosity as his



father had earlier filed Sanaha against the informant and others.
He has been languishing in custody since 18.06.2018.

On the other hand, learned APP for the State and learned counsel for the informant vehemently opposing the bail petition submitted that the petitioner happens to be the main assailant. He assaulted on the chest of the informant by means of pistol and doctor has found both entry and exit wound on the chest of the informant which is grievous in nature. Number of witnesses in the case diary have supported the occurrence. Hence the petitioner does not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

(Prakash Chandra Jaiswal, J)

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