

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4362 of 2019

Arising Out of PS. Case No.-279 Year-2018 Thana- BAIRIYA District- West Champaran

Akhilesh Sah, son of Late Ramchandra Sah, R/o Village - Bhatwaliya, P.S. -
Bairiya, District – West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 18-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 307, 302, 504/34 of the
Indian Penal Code and Section 27 of the Arms Act.

For land dispute, the petitioner allegedly fired on the
informant causing injury at the back of the informant. The
doctor has found firearm injury at the back of the informant.

Submission is that it was not possible for the
informant to see the petitioner firing and causing injury at the
back. Petitioner has got no criminal antecedent. Land dispute is
reason for the false implication. Petitioner is in custody since
08.08.2018. Investigation of the case is already complete.

Learned counsel for the State opposed the prayer for
bail on the ground that in course of treatment, informant has



died of aforesaid injury and it is quite possible that after seeing a pistol in the hand of petitioner, informant would have started fleeing. The shot hit at his back.

Considering the nature of allegation, I am not inclined to enlarge the petitioner on bail in connection with Bairiya Police Station Case No. 279 of 2018 pending in the court of learned 7th Additional Chief Judicial Magistrate, Bettiah, West Champaran.

Hence, his prayer for bail refused.

(Birendra Kumar, J)

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