

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 44353 of 2019

Arising Out of PS Case No.-532 Year-2018 Thana- SONPUR District- Saran

Sudhir Rai, age 35 years, Male Son of Nagendra Rai, Resident of Village -
Kalayanpur, P.S.- Sonpur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Najmul Hoda, Advocate
For the Opposite Party/s	:	Mr. Y. C. Verma, Sr. Advocate
		Mr. Anuj Kumar, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 04-12-2019

Heard Mr. Najmul Hoda, learned counsel for the petitioner; learned APP for the State and Mr. Yogesh Chandra Verma, learned senior counsel for the informant, who has *suo motu* appeared.

2. The petitioner seeks bail in Sonpur PS Case No. 532 of 2018 dated 03.06.2018 instituted under Sections 147, 148, 149, 341, 323, 307, 324, 504 of the Indian Penal Code and Section 27 of The Arms Act, 1959.

3. The petitioner, along with four other persons, is accused of firing on the brother of the informant and specific against the petitioner is that he fired on the waist.

4. Learned counsel for the petitioner submitted that there is enmity between the parties and earlier also an FIR has been



lodged by one of the co-accused against nine persons including the informant of the present case. It was submitted that there is general and omnibus allegation of firing and only one gun shot injury being present, it cannot be said that the petitioner had the intention to kill.

5. Learned APP, from the case diary, and learned counsel for the informant submitted that there is specific allegation against the petitioner having fired on the waist of the brother of the informant and the injury report corroborates bullet wound on the left hip caused by firearm. It was submitted that the wound is grievous and deep penetrating and both entry and exit wounds have been found. It was further submitted that the petitioner has also three other criminal cases against him.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

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