

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61353 of 2019

Arising Out of PS. Case No.-43 Year-2019 Thana- GAURICHAK District- Patna

SATYAPAL KUMAR @ SHISHUPAL KUMAR S/o Gopal Singh @ Gopal Prasad Singh R/o village- Masarhi, P.S.- Gaurichak, District- Patna, At present Sarvodaya Nagar, Kali Mandir Road, Kumhrar, P.S.- Agamkuan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parwej Khan

For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 27-11-2019 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in Gaurichak P.S. Case No. 43 of 2019 registered under Sections 147, 148, 149, 341, 323, 326, 307, 387 and 504 of the Indian Penal Code, Section 27 of the Arms Act and Section 37 (c) of the Bihar Prohibition and Excise Act 2016.

Four named accused persons including the



petitioner and 4 unknown miscreants demanded extortion from the informant and on refusal, on the exhortation of co-accused Santosh Kumar, petitioner resorted firing by means of pistol inflicting injury in the leg of the companion of the informant namely Sanjeev Kumar.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. As a matter of fact, both the petitioner and the informant are businessmen having good and dining terms, but due to some altercation taken place between them over some petty matter, fire was made and resultantly victim sustained injury. Sustaining injury by the victim in his leg rules out the intention of the petitioner to eliminate the victim. Petitioner has no criminal antecedent and has been languishing in custody since 04.09.2019. Hence he may be enlarged on bail.

On the other hand, learned APP for the State vehemently opposing the bail petition submitted that number of witnesses including the injured witness have supported the occurrence and doctor has also found fire arm injury in the leg of the victim. Hence the petitioner does not deserve bail.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail at this



stage. Prayer for bail of the petitioner is rejected.

However the petitioner may renew his prayer for
bail after framing of charge.

(Prakash Chandra Jaiswal, J)

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