

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3738 of 2020

Arising Out of PS. Case No.-563 Year-2018 Thana- DANAPUR District- Patna

Deepak Kumar @ Sonu, aged about 22 years, Gender-Male, Son of
Shailendra Singh Resident of Village - Ashopur, P.S.- Danapur, Distt - Patna.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhinay Raj

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 29-05-2020 Heard learned counsel for the petitioner and learned
counsel for the State through virtual court proceeding.

In this case, the petitioner is seeking bail in connection
with Danapur P.S. Case No. 563 of 2018 registered for offences
under sections 326, 307, 34 of the Indian Penal Code and Section 27
of the Arms Act.

In the present case, an allegation has been made that
the Informant along with his son were participating in the procession
of Somwari worship. In the meantime, the petitioner came there with
the co-accused, namely, Jai Prakash Gupta and started to brandish
the pistol. When the objection was made by the Informant, he made
two firings in the air and, thereafter, fired upon the head of his son
whereafter he was taken to the Hi-tech Hospital for his treatment.

Learned counsel for the petitioner submits that from
the First Information Report, it appears that two firing have been



made by two persons and one firing has hit the son of the Informant and has place reliance on the statement of the Informant including other paragraphs of the case diary but, from paragraph no.7, the statement of Ajay Kumar, it appears that it is the petitioner who made fire on the head of the victim. Learned counsel for the petitioner further submits that the victim was not taken in the Government Hospital rather in the private hospital and submitted that the injury report has been given after a long period of time.

The injury report may be delayed but, it shows that the victim has been treated by the doctor in the private hospital and, in the recent time, people would like to get best medical assistance wherever it is available. So, treating the victim in the private hospital would not favor the petitioner.

Looking to the entire facts and circumstances of the case as also there being direct allegation against the petitioner, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner, above named, is rejected with a liberty to renew his prayer after six months from today.

(Shivaji Pandey, J)

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