

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.11292 of 2020**

Arising Out of PS. Case No.-107 Year-2019 Thana- DANDKHORA District- Katihar

MITHLESH KUMAR SAH Son of Dev Narayan Sah Resident of Village -
Mahammadpur, P.S.- Kadwa, District- Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Advocate

For the Opposite Party/s : Mr.Ashok Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 01-06-2020 This application has been placed for consideration
by the order of the Hon'ble the Chief Justice through virtual
court proceeding.

Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

The petitioner in the present case is seeking
regular bail in connection with Dandkhora P.S. Case no. 107
of 2019 registered under Sections 341, 307, 120(B) of the
Indian Penal Code and Section 27 of the Arms Act, pending
in the Court of learned Sub-Divisional Judicial Magistrate,
Katihar.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case, there is no material against him.

Learned A.P.P. for the State as well as learned
counsel for the informant have opposed the prayer for
regular bail of the petitioner. It is submitted that there is



direct allegation of firing against the petitioner. It is the shot fired by the petitioner which hit the victim girl on her back and thereafter she fell down and she had narrated the entire story in her statement under Section 164 Cr.P.C. In course of investigation, several other witnesses have also stated that the victim girl had taken name of this petitioner as the person who had shot at her and police has examined the CDR of the petitioner and the victim girl and found that both were at the same location.

Considering the facts and circumstances of the case wherein there are ample materials against the petitioner of causing firing against the victim girl and the petitioner is in custody since 16.12.2019, at this stage this court is not inclined to grant regular bail to the petitioner.

Let the trial be expedited. In case the trial is not concluded within a period of six months from the date of receipt/production of a copy of this order, the petitioner may renew his prayer for bail.

This application is disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

