

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9178 of 2020

Arising Out of PS. Case No.-37 Year-2019 Thana- ALOULI District- Khagaria

Sahab Chaudhary @ Baijnath Chaudhary, Son of Late Umesh Chaudhary
Resident of Village - Sumbhagazi Ghat, P.S.- Alouli, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate Mr. Lakshmi Kant Sharma, Advocate
For the State	:	Mr. Nitya Nand Tiwary, APP
For the Informant	:	Mr. Bharat Bhusan, Advocate

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 12-11-2020 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the Informant.

In the present case, the petitioner is seeking bail in connection with Sessions Trial No. 175 of 2019 arising out of Alauli P.S. Case No. 37 of 2019, registered for the offence punishable under Sections 147, 148, 149, 302 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner is to have caused the firearm injury to the son of the informant, as a result of which, he died.

Counsel for the petitioner submits that the police has reached at the place of occurrence but the fardbeyan has been recorded in the hospital and also submitted that there are two



different types of story during the course of investigation and the injury does not corroborate the prosecution version. He has further submitted that the police has not found bloodstained at the place of occurrence. If a person has been caused bullet injury, certain amount of blood would be there, whereas, counsel for the State and the Informant have submitted that the trial is at the advance stage and except the Doctor and the Investigating Officer, all have been examined inasmuch as all the witnesses are consistent in the statement with regard to the prosecution case against the petitioner to have caused the firearm injury.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected.

(Shivaji Pandey, J)

V.K.Pandey/-

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