

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11026 of 2020

Arising Out of PS. Case No.-129 Year-2019 Thana- SULTANGANJ District- Bhagalpur

MANISH KUMAR Son of Ramdhani Yadav Resident of Village - Thana
Road, Bypass Sultanganj, P.S.- Sultanganj, Dist.- Bhagalpur ... Petitioner
Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner/s : Mr.N.K.Agrawal, Sr. Adv and
Mr. Pravin Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Dinesh Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 26-08-2020 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner as well as
learned counsel for the State.

The petitioner apprehends his arrest in a case
registered for offence under section 307 and other allied sections
of the IPC as well as under the 27 Arms Act.

It is alleged that the petitioner and other accused
persons went to the house of the informant and started firing on
his family members. Fire opened by other accused persons
caused fire arms injuries to the victims, whereas petitioner's
shot misfired, whereupon he hit the butt of his pistol on the head
of Ward Councilor Rakesh Kumar Ranjan who became
senseless and fell down.

Learned counsel for the petitioner submits that in fact
the injury caused by the petitioner on the head of the ward
councilor has been found to be simple in nature (annexure 2).
He submits that the false case has been lodged by the informant
due to political rivalry to harass the petitioner and his family
members.



While opposing the prayer for bail, learned counsel for the State submits that there is allegation against the petitioner that he also fired at the ward councilor, though fortunately it did not hit him. Witnesses have also supported the prosecution case. Petitioner has got criminal antecedent.

In view of the allegation against the petitioner as well as the fact that the petitioner has got criminal antecedent, prayer for bail of the petitioner is refused with direction to surrender and seek regular bail which would be considered on its own merit without prejudice.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

