

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16072 of 2020

Arising Out of PS. Case No.-809 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

Nanda Singh @ Nand Kumar Singh Son of Late Bharat Singh Resident of
Village - Lal Pokhar Chak, Jagdishpur, P.S.- Sadar Hajipur, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh
For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 24-11-2020 Heard learned counsel for the parties through video conferencing.

The petitioner apprehends his arrest in Hajipur Sadar P.S. Case No. 809 of 2019 registered for the offence under Section 307 & other allied sections of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, it is alleged that this petitioner alongwith other accused persons came at the door of the informant and took away his brother, but since his brother did not return, the informant started searching him and during search, he came to know that his brother has been thrown in a ditch near the railway station and as such, he went there and saw his brother in injured condition. Thereafter, he took his brother to the hospital for treatment.



It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case. No such occurrence has taken place. In fact, falsity of the present case is apparent from perusal of the injury report, which reveals that no fire-arm injury has been caused to the injured. It is further submitted that in the entire case diary, there is no material to support the prosecution case.

However, learned A.P.P. for the State opposed the bail application and submitted that in paragraph 28 of the case diary, it has specifically been stated by the injured Bablu Kumar that this petitioner has shot him from pistol, as a result of which, he got fire-arm injury in his waist.

Considering the aforesaid facts and circumstances and statement of the injured, I am not inclined to grant bail to the petitioner. Accordingly, the bail application is rejected.

(Prabhat Kumar Singh, J.)

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