

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21542 of 2020**

Arising Out of PS. Case No.-54 Year-2020 Thana- NARDIGANJ District- Nawada

SUMAN BIHARI S/O Pramod Singh @ Karu singh R/O- Vill- Kajibigha,
P.S.- Nardiganj, District- Nawada

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N.K. Agarwal
For the Opposite Party/s	:	Ms. Asha Kumari
For the informant	:	Mr.Rajiv Nayan

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

3 04-09-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard Sri N.K. Agarwal, the learned Senior counsel appearing for the petitioner, Sri Rajiv Nayan, the learned counsel appearing for the informant and Ms. Asha Kumari, the learned APP for the State.

The petitioner seeks regular bail in connection with Nardiganj PS case no. 54 of 2020 instituted for the offences punishable under Sections 341, 323, 324, 307, 448, 504, 506/34 of Indian Penal Code.

The allegation is regarding the informant having gone for dinner to the house of co-villagers on 27.02.2020 at



about 7.45 pm, where he received information through mobile call of his daughter that the petitioner along with other co-accused persons had come to his house and was asking about the whereabouts of the informant and in the meantime, co-accused Pramod Singh had given a sword blow upon the wife of the informant causing cut injury in her right hand, whereafter the petitioner herein had fired gun shots from his pistol causing firearm injuries below the shoulder of the wife of the informant, resulting in the wife of the informant sustaining grievous injuries.

The learned Senior counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 13.03.2020. It is further submitted by referring to the case diary that initially, the injured Rita Devi was taken to Primary Health Center, Nardiganj, Nawada, however she was referred to Pawapuri for further treatment, but then she was taken to PMCH for treatment. It is further submitted that till date, the police has not recorded the statement of the injured Rita Devi, hence the entire story of the prosecution is concocted and baseless.

Per contra, the learned A.P.P. for the State has



vehemently opposed the prayer for bail.

I have heard the learned counsel for the parties, considered their submissions, perused the materials on record and gone through the materials available in the case diary, from which it is apparent that there is direct allegation upon the petitioner of having fired gun shots on the injured resulting in her sustaining gun shot injuries which also stands corroborated from the injury report and a *prima facie* case is definitely made out as against the petitioner herein for the offences alleged, as is apparent from the materials available in the case diary, hence this Court does not find the present case to be a fit case for grant of bail.

Accordingly, the prayer for grant of bail by the petitioner stands rejected.

(Mohit Kumar Shah, J)

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