

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21859 of 2020**

Arising Out of PS. Case No.-196 Year-2019 Thana- GORIAKOTHI District- Siwan

Chandan Singh, son of Lakshimi Singh, resident of village Dewariya, P.S.
Maharajganj, District Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y. C. Verma, Sr. Adv. Mr. Ramadhar Shekhar
For the Opposite Party/s	:	Mr. Ashok Kumar

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

3 26-08-2020 Heard learned Senior Counsel for the petitioner and
learned Additional Public Prosecutor appearing for the State,
through video conferencing.

The petitioner seeks regular bail in connection with
Goreakothi Police Station Case No. 196 of 2019, registered for
the offence punishable under Sections 341/324/504/307/34 of
the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner, as per the First
Information Report, is that the informant is a wholesale dealer
of poultry feed, from where the petitioner had purchased the
poultry feed, worth Rs. 1,86,000/-, on credit and when the
informant demanded the said money back, the petitioner, on one
pretext or the other, did not pay the said amount and threatened



him to kill and on the date of occurrence, i.e. on 13.11.2019, when the informant was returning from market, he was intercepted by two persons on a motorcycle, in which the petitioner was a pillion rider and the petitioner fired upon the informant, causing bullet injury near the upper portion of the waist of the informant, due to which the informant fell down and was referred to the hospital.

Learned Senior Counsel for the petitioner submits that the petitioner has falsely been implicated in this case inasmuch as the informant is not a dealer of poultry feed and the petitioner has been implicated in this case with oblique motive to realize money from the petitioner. He further submits that the injury caused to the informant was not on vital part of the body and did not affect the vital organs of the body and, therefore, Section 307 of the Indian Penal Code is not made out against the petitioner.

On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer of bail and submits that there is direct allegation against the petitioner of firing upon the person of the informant and from the injury report, it appears that the pellet of the bullet was also recovered from the body of the informant by the doctor and the doctor has opined the injury



as grievous, caused by fire arm.

After having heard learned Counsel for the parties and taking into consideration the materials available on record and the fact that there is direct allegation against the petitioner of firing upon the informant, I am not inclined to grant regular bail to the petitioner.

This application is, accordingly, dismissed.

However, if the trial does not record any progress within a period of one year from today, the petitioner may renew his prayer for bail.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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