

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25031 of 2020

Arising Out of PS. Case No.-251 Year-2019 Thana- CHENARI District- Rohtas

SHESHNATH SINGH Son of Late Ram Prasad Singh Resident of Village -
Tekari, P.S.- Chenari, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dineshwar Mishra, Adv.
For the Opposite Party/s : Mr.B.N.Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 16-10-2020 Heard both sides through Video Conferencing.

The petitioner seeks bail in Chenari P.S. Case No.251 of 2019 registered under Section 307 of the Indian Penal Code and under Section 27 of the Arms Act.

The informant alleged that she was plucking vegetable in her field but Lalita Devi also came there running and shouting save save. She caught her from behind in order to save herself from her husband, Sheshnath Singh(the petitioner). Sheshnath Singh having armed with gun fired upon his wife. Since the wife of the petitioner was behind the informant, the informant got firearm injury on her elbow. After piercing her elbow, the pellet hit on the left side of breast of Lalita Devi. Lalita Devi became unconscious and fell down on the ground. The informant informed the villagers to come and save the



informant. The villagers took Lalita Devi to the hospital for treatment.

The learned counsel for the petitioner submits that petitioner is innocent and he has in fact committed no offence. The petitioner is Dy. Pramukh of Panchayat Samiti that is why he has falsely been implicated in the case. The informant got simple firearm injury on her elbow. The wife of the petitioner also made her statement in para 33 of the case diary and she disclosed that while she was standing near the informant, she received firearm injury on her chest. The wife of the petitioner has not supported the case of the informant.

Learned A.P.P. opposed the prayer for bail.

Perused the F.I.R. The informant very categorically stated that the wife of the petitioner came running and shouting save save. She was behind the informant but in the meantime, the petitioner who was intending to kill his wife fired. The firing hit on the elbow of the informant and the projectile pierced the elbow of the informant and hit the left side of chest of wife of the petitioner. The informant of course got simple injury caused by firearm but from perusal of the injury report of the wife of the petitioner, wife of the petitioner got one wound of entry and another wound of exit. The pellet hit chest near the nipple and



the injury is opined to be grievous in nature. It was providential escape of the wife of the petitioner. It appears that petitioner fired with an intention to kill his wife on her chest.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The petitioner may renew his prayer for bail after six months, if the trial is not concluded.

(Prabhat Kumar Jha, J)

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