

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29046 of 2020

Arising Out of PS. Case No.-136 Year-2019 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Rajesh Prasad, Son of Mahajan Prasad, Resident of Village - Tarwara Koeri
tola, P.S.- G.B. Nagar, District - Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Ajay Kumar Tiwary, Advocate
For the S t a t e	:	Mr.Syed Mojibur Rahman, APP
For the Informant	:	Mr. Manoj Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-11-2020 Since as of now the Courts have not resumed

normal physical hearing, the matter has been listed today

for consideration through video conferencing.

The learned counsels are appearing and making
submissions from their residence.The Court Master and
Secretary are also part of this virtual Court proceedings
from their homes, all with the aid of audio visual
technology.

Mr.Syed Mojibur Rahman, learned APP is
appearing for the State as it is submitted that the brief has
been allotted to him by the office of Advocate General.

Heard learned counsel for the petitioner. Learned
APP for the State is present. Appearance has also been filed



on behalf of the informant by Mr. Manoj Kumar Singh,
Advocate.

At the outset, it is submitted by the petitioner's counsel that a typographical error has crept in paragraph 1 of the petition, wherein instead of Section 307 of the Indian Penal Code, Section 302 of the Indian Penal Code has been typed.

The petitioner seeks bail in connection with G.B. Nagar P.S. Case No.136 of 2019 registered for the offence punishable under Section 307/34 of the I.P.C., which is pending in the court of learned Chief Judicial Magistrate, Siwan.

The prosecution case is that the petitioner has fired upon the cheek of the victim.

Petitioner's counsel submits that it is a case of false implication and the petitioner is suffering from mental disease and is undergoing treatment. He is in custody since 18.12.2019.

Learned APP for the State has opposed the prayer for bail. It is submitted that the gun-shot injury has been found in the medical examination. The allegation stands corroborated. The petitioner is accused of firing upon the



cheek of the victim.

Considering the rival submissions and gravity of allegations, this Court, for the present, is not inclined to allow the petitioner's prayer for bail. The same is rejected.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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