

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30358 of 2020

Arising Out of PS. Case No.-402 Year-2019 Thana- RAJGIR District- Nalanda

Mandal Singh, Son of Sanjay Singh @ Ajay Kumar Sharma, Resident of
Village- Silao Dih, P.S.- Silao, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Ranjan Sinha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-11-2020 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. Sanjay Kumar Sharma, 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 and the learned APP for the State.

The petitioner seeks bail in connection with Rajgir P.S. Case No.402 of 2019 registered for the offence punishable



under Sections 307, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act, pending in the court of learned A.C.J.M.-II, Nalanda at Biharsharif.

The prosecution case alleges that the informant's sister has been fired upon by the petitioner.

It is submitted by the petitioner's counsel that the petitioner is on bail in five cases pending against him since before. It is a case of false implication and no incriminating article has been recovered from the petitioner's possession. He is in custody since 30.10.2019. It is further submitted that though the victim girl is adult, the F.I.R. has been lodged by his brother.

Learned APP for the State, referring to the order of the rejection of the learned Additional Sessions Judge, submitted that the informant and other witnesses have supported the allegation in course of investigation. The petitioner bears criminal history. The injured girl has supported the occurrence. Firearm injury is corroborated by the Doctor's examination. Shells have been recovered from the place where it is alleged that the victim was fired upon.

Considering the rival submissions and the serious nature of offence, this Court is not inclined to grant bail to the petitioner. The same is rejected, for the present.



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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