

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26374 of 2020

Arising Out of PS. Case No.-495 Year-2019 Thana- BARH District- Patna

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MOHAN SINGH Son of Triloki Singh @ Trilok Prasad Singh Resident of
Village- Dhanamadih, P.O.- Gopalbad, P.S.- Sarmera, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 01-12-2020 Heard the learned counsel for the petitioner
and Sri Arun Kumar Singh, the learned APP for the
State.

The petitioner seeks regular bail in connection
with Barh P.S. Case No. 495 of 2019, registered for
the offence punishable under Sections 448, 354,
379, 307/34 of the Indian Penal Code and Section
27 of the Arms Act.

The case of the prosecution in brief is that on
15.10.2019 in the night at about 2:00 hours, while
the brother of the informant was sleeping in his
room along with his wife and his niece, aged about
14 years, and his sister-in-law were sleeping in



the adjoining room, the petitioner had come inside through the roof of the house and after entering into the room of the niece of the informant, he started pressing the neck and the mouth of the niece of the informant, whereafter the petitioner is stated to have fired gunshots twice on the brother-in-law of the informant causing injury in his mouth and neck, whereafter he had fled away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 21.11.2019. The learned counsel for the petitioner has submitted that the petitioner and the injured person are close relative and on account of certain small disputes, the incident in question has taken place, however, the petitioner was not having any intention of killing the injured person.

Per contra, the learned APP has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances



of the case, considering the submissions made by the leaned counsel for the petitioner and taking into account the materials available on record as also in the case diary, this Court finds that not only the injured person has received grievous and firearm injuries but there is ample materials available on record to show the complicity of the petitioner in the alleged crime, hence, I do not find any merit in the present petition, accordingly, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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