

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1263 of 2021

Arising Out of PS. Case No.-305 Year-2020 Thana- DANAPUR District- Patna

Poonam Sao @ Punam Sao S/O Late Rama Sao R/O Village-Bibiganj, Maida Toli, P.S.-Danapur, District-Patna.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Akhauri Kamal Kishore Sahay, Advocate
For the Respondent/s : Mr.Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-03-2021 Learned counsel for the appellant undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the appellant and learned Special Public Prosecutor for the State.

Appellant, in the present appeal, is seeking setting aside the order dated 04.01.2021 passed by learned Additional District & Sessions Judge – XII – cum – Special Judge, SC/ST, Patna in connection with Special Case No. 280/2020 (arising out of Danapur P.S. Case No. 305/2020) registered for the offences under Sections 341, 323, 325, 307, 504, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act and Section 3(i)(r) (s) of SC/ST Act.

As per the prosecution story, while the informant was at his shop one Poonam Sao and his companion arrived at his



shop and said that his son has not recharged the mobile, when the informant objected the same, they fired upon the informant which hit on his stomach, thereafter son of the informant came there and taken him to the hospital.

Learned counsel for the appellant submits that the appellant has not committed any offence and has falsely been implicated in this case. The appellant is in judicial custody since 21.05.2020.

Learned Special Public Prosecutor for the State has opposed the prayer for regular bail of the appellant.

Having regard to the facts and circumstances of the case wherein there is a direct allegation against this appellant of causing a fire-arm injury in the stomach of the informant who has given his statement in injured condition from the hospital and there are ample materials in form of CCTV footage and the bullet which were seized by the I.O. in the hospital, considering the gravity of the offence and the materials against the appellant, this Court is not inclined to grant privilege of regular bail to the appellant.

Prayer for regular bail of the appellant is, thus, refused.

This appeal is, thus, dismissed.



Let the trial be expedited. The trial court is expected to proceed with the trial as expeditiously as possible. The prosecution must cooperate in course of trial of this case.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

