

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29666 of 2020

Arising Out of PS. Case No.-246 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

SARVESH DAS @ MUMBAIYA, aged about 35 years (Male), Son of Late Deep Narayan Das, Resident of Village-Madhopur Sultanpur, P.S.-Runnisaidpur, District – Sitamarhi.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anil Kumar, Advocate.

For the Opposite Party : Mr. Gauri Shankar Gupta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 05-01-2021 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence registered under Sections 384, 385, 307 of the I.P.C. and 27 of the Arms Act.

The prosecution story, in brief, is that the informant is a Salesman in a shop. The petitioner alongwith his brother had demanded *Rangdari* 3-4 months ago and made firing to create terror in the said Market of one shopkeeper Dilip Gupta and in that case, his owner was witness against the petitioner. On 17.06.2019 at 8.30 P.M., the petitioner alongwith two unknown miscreants riding on a Motorcycle came at his shop searching his owner Rakesh Kumar Singh with an intention to kill him and



started indiscriminate firing and in that course he sustained one fire arm injury in his right hand. They also caused firearm injury in the leg of one Sugarath Mandal when he tried to apprehend them.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 27.08.2019. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R. There is specific allegation of firing against the petitioner upon the victim for the purpose of extortion. From perusal of the order of the learned Sessions Judge, Sitamarhi, it appears that there are 18 criminal cases pending against the petitioner.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Runisaidpur P.S. Case No. 246 of 2019, pending in the court of learned C.J.M. Sitamarhi.



The court below is directed to take all necessary steps to expedite the case and conclude the same preferably within a period of nine months from the date of receipt/production of copy of this order.

(Sudhir Singh, J)

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