

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37610 of 2020

Arising Out of PS. Case No.-175 Year-2019 Thana- ITARHI District- Buxar

Prince Giri, aged about 29 years, Male, Son of Shivdani Giri, Resident of Village Bhikhampur, P. S Itarhi, District- Buxar (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vikram Deo Singh, Advocate
For the State	:	Mr. Uma Shankar Prasad Singh, Advocate
For the Informant	:	Mr. Ramchandra Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 08-03-2021

Heard Mr. Vikram Deo Singh, learned counsel for the petitioner; Mr. Uma Shankar Prasad Singh, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State and Mr. Ramchandra Singh, learned counsel for the informant.

2. The petitioner is in custody in connection with Itarhi PS Case No. 175 of 2019 dated 04.07.2019, instituted under Sections 341/323/307/34 of the Indian Penal Code and 27 of the Arms Act, 1959.

3. The allegation against the petitioner is of firing on the informant and his son which resulted in damage to the house of the informant.



4. Learned counsel for the petitioner submitted that though he has criminal antecedent, but in the present case there is allegation of firing and damaging of house but nobody was injured. Learned counsel submitted that the petitioner is in custody since 08.01.2020.

5. Learned APP submitted that witnesses have supported the prosecution case and further that the petitioner has may cases against him, both prior to the present case as well as after the present case.

6. Learned counsel for the informant submitted that there has been suppression in the application as against the petitioner there is a case of the year 2017 in which he along with other family members are accused and against the petitioner there is specific allegation of inflicting repeated knife blows on the informant side of the said case. It was further submitted that in the present case only attempt was made to murder, but after 15 days the petitioner along with others had murdered the son of the informant and thereafter a witness of the said case was also killed by the petitioner and others.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.



8. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

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