

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1418 of 2021

Arising Out of PS. Case No.-68 Year-2018 Thana- CHAORI District- Bhojpur

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Bhola Rai @ Narendra Rai, S/o Mohan Rai @ Ramyas Rai, Resident of
Village - Dullamchak, P.S. - Chouri, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Uday Kumar, Advocate
For the State	:	Mr. Bharat Lal, APP
For the Informant	:	Mr. Ravindra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

6 18-08-2021 Heard learned counsel for the petitioner and learned

APP for the State assisted by learned counsel for the Informant

through video conference.

2. Learned counsel for the petitioner has filed an undertaking that all defects pointed out by the stamp reporter shall be removed, and compliance with the conditions of the notices of this Court with regard to acceptance of e-filing shall be made, without delay immediately upon resumption of normal physical functioning of the Court, and in any event within one month thereof.

3. The petitioner, who is in custody since 09.05.2019, has renewed his prayer for bail in connection with Chouri P.S. Case No. 68/2018, having earlier been rejected by order dated

11.12.2019 in Cr.Misc. No.55803 of 2019 for the alleged offences under Sections 307, 120 B of the Indian Penal Code and Section 27 of the Arms Act.

4. Learned counsel for the petitioner submits that the prayer for bail was earlier rejected on the footing that the informant Narendra Singh @ Barak had suffered gunshot injury on the neck. It is submitted however that as a matter of fact it was not the informant Narendra Singh, but his brother Nagendra Singh, who had suffered gunshot injury as is evident from the medical reports (Annexure-3 to the supplementary affidavit).

5. Learned APP assisted by learned counsel for the informant appears and submits that the name of Nagendra Singh mentioned in the medical reports is an obvious clerical error. It is submitted that Nagendra Singh does not find mention in the FIR. On the other hand, witnesses have uniformly stated that the person who sustained gunshot injury was Narendra Singh (Paras 6, 7, 8 and 69 of the case diary). Moreover, in para 110 of the case diary, it is specifically stated that the injury report of Barak @ Narendra Singh is enclosed. It is therefore submitted that the injured is none other than Narendra Singh (informant).

6. Having heard the parties, this Court is not inclined to take a different view in the matter of granting bail to the

petitioner at this stage. The petition stands dismissed.

7. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 2 hereinabvove, failing which the matter shall be brought to the notice of this Court.

V.K.Pandey/-

(Vikash Jain, J)

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