

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37377 of 2020

Arising Out of PS. Case No.-72 Year-2020 Thana- KARTAHA District- Vaishali

RAJ NARAYAN SAH S/o Late Sakal Sah R/o village- Arri, P.S.- Sarai,
Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the appellant undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 147, 148, 149 & 302 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, the informant Lalita Devi in her written statement has stated that on 02.09.2020, while she was returning from the market with her husband at about 7:30 PM in the evening after buying goods from the



square and stop to buy kachri for the toddler near Patepur bridge where Ranjan Kumar, son of Mantu Sahni was sitting at village Patepur, a car was parked at a distance, which belongs to Rakesh Sah and three people were in the car. Behind him an Apache Motor Cycle in red colour, on which Rakesh Sah, son of Surendra Sah of village Patepur was sitting, in the middle Rajnish Kumar Sah, son of Ram Narayan Sah alias Bengali Sah of village Patepur and an unknown person was riding the motorcycle. Sitting in the car as soon as the car stopped, Bindu Sah, son of Ram Nandan Sah said that shot Rakesh Goli, slating him. On which Rakesh Shah took a pistol from his waist and shot my husband in the chest, causing my husband to splash and fall there. When she shouted loudly, her villager Vijay Kumar tried to catch te culprits, then Raj Narayan Sah, son of Sakal Sah sitting in the car asked to shot, then Rajnish Kumar Sah opened fire on him on the thigh of his left leg, causing him injury.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature.



There is nothing in the record indicating the complicity of the petitioner in the occurrence. The petitioner has no criminal antecedent and has been languishing in custody since 04.09.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XV, Vaishali at Hajipur in connection with Kartaha P.S. Case No.72 of 2020.

(Anjani Kumar Sharan, J)

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