

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40439 of 2020**

Arising Out of PS. Case No.-168 Year-2019 Thana- NAANPUR District- Sitamarhi

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AZAD SHATRU @ AJAT SHATRU son of Sunil Kumar Mishra Resident of
Village- Janipur, P.S.- Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Jha

For the Opposite Party/s : Mr. Abhay Kumar No. 1

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

4 15-06-2021 Heard Mr. Amit Kumar Jha, learned counsel for the

petitioner and Mr. Abhay Kumar No. 1, learned A.P.P. for the

State through video conferencing.

Petitioner seeks regular bail in connection with
Nanpur P.S. Case No. 168 of 2019 registered under Section 307
of the IPC and Section 25 (1-B)A, 26, 35 of the Arms Act.

The allegation as per the First Information Report is
that petitioner fired upon the chest of the informant causing him
fire arm injury.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case due to village
politics and he has not committed any offence in the manner



alleged. Learned counsel next submits that there is delay in lodging F.I.R. inasmuch as occurrence has taken place on 14.05.2019 whereas F.I.R. has been registered after delay of one day on 15.05.2019 which creates doubt upon the prosecution story. Learned counsel next submits that no incriminating material and / or fire arm has been recovered from the possession of the petitioner.

On the other hand, learned counsel for the State referring to the case diary submits that injured (victim) is the informant who has categorically stated that petitioner has fired upon him and the bullet hit the chest of the informant and the medical report corroborates the version of the informant made in the First Information Report. Learned counsel next submits that petitioner is having criminal antecedent inasmuch as altogether four cases are pending against him.

Having regard to the submissions made by the parties and taking into consideration the materials available on record and the fact that there is direct allegation against the petitioner of firing upon the informant, I am not inclined to grant regular bail to the petitioner at this stage.

Accordingly, the prayer for grant of regular bail is rejected.



However, the petitioner may renew his prayer for bail after nine months from today if the trial does not show any progress.

(Anil Kumar Sinha, J)

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