

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6547 of 2021

Arising Out of PS. Case No.-85 Year-2018 Thana- HAJIPUR SADAR District- Vaishali

ANIL BAITHA SON OF JALESHWAR BAITHA RESIDENT OF VILLAGE
- GOPALPUR, P.O. - PURKHAULI, P.S. - VAISHALI, DISTRICT -
VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 05-08-2021 At the outset of the argument, learned counsel for the petitioner submits that in paragraph 13 of the bail petition date of custody of petitioner has inadvertently been typed as 11.01.2020 instead of 05.09.2020 and the same may be corrected.

Let the date of custody of petitioner be read as 05.09.2020 instead of 11.01.2020.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 323, 307, 504, 506 of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, while the informant was going to his house by motor cycle after having tea from near Harauli petrol pump two persons came on a motor cycle and overtook the informant and fired upon the informant which hit him on his right



side of chest.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case due to village politics. It is further submitted that informant has himself stated in the FIR that one Ram Chandra Rajak had to pay a sum of Rs. 8 lakh to the informant in business partnership and due to this reason, with a view to escape from the liability of paying Rs. 8 lakh to the informant, Ram Chandra Rajak arranged murderous attack on the informant. The petitioner is in no way concerned with Ram Chandra Rajak. As per injury report one lacerated wound of 2 CM x 1 CM has been found on the right side of chest of the informant. Petitioner is in custody since 05.09.2020.

Learned counsel appearing for the State opposes the prayer for bail and submits that there is direct and specific allegation of firing against this petitioner and the injury report also corroborates the prosecution case.

Considering the facts of the case and the fact that there is direct and specific allegation of firing against this petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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