

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15623 of 2022

Arising Out of PS. Case No.-243 Year-2021 Thana- GOPALPUR District- Patna

Sameer Kumar, Son of Uday Singh Resident of village - Manoharpur
Kachhuara, P.S.- Gopalpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Narain, Senior Advocate
For the informant	:	Mr. Dinbandhu Singh, Advocate
For the State	:	Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 16-08-2022 Heard Mr. Rajendra Narain, learned Senior
counsel for the petitioner, Mr. Dinbandhu Singh, learned
counsel for the informant and Mr. Bharat Bhushan, learned
APP for the State.

Let the defect(s) be removed within four weeks of
the complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Sessions Trial No.838 of 2021 arising out of Gopalpur
P.S. Case No.243/2021 instituted under Sections 341, 323,
307, 384, 504/34 of the Indian Penal Code.

As per the allegation in the FIR, when the
informant was on a walk inside his house, the accused
persons including the petitioner herein armed variously



came there and after demand of Rs.5,00,000/-, it is alleged that the petitioner resorted to indiscriminate firing which hit the arm of the informant, the stomach of his father and the chest of his brother. They were later taken to the Ford Hospital for treatment.

Learned Senior Counsel for the petitioner submits that both the petitioner and informant are neighbour and due to small issues the matter got aggravated and further a bare perusal of the learned Sessions Judge order shows that the concerned report does not say anything about the use of pistol.

Per contra, Mr. Dinbandhu Singh, learned counsel for the informant there is specific allegation against the petitioner that he opened fire causing injuries to the informant and his family members. He further submits that trial has already commenced and four witnesses have already been examined as also that the next date of hearing is on 23.08.2022. He as such submits that considering the gravity of the case as also that the trial has commenced, the petitioner does not deserve bail.

Learned APP further adds that two of the injuries



have been found to be grievous as per injury report that has come along with the case diary. He also opposes the prayer for bail.

Considering the aforesaid fact that specific allegation has been made against the petitioner in the FIR of indiscriminate firing causing injuries to the informant and his family members coupled with the fact that Trial has already commenced, this Court is not inclined to grant bail to the petitioner, which is hereby rejected.

As the Trial has already commenced, let the same be concluded expeditiously.

(Rajiv Roy, J)

Prakash Narayan /-

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