

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17969 of 2022

Arising Out of PS. Case No.-15 Year-2022 Thana- MIRGANJ District- Gopalganj

Amir Khan S/o Nuralam Khan R/o village- Yado Pipra, P.S.- Hathua, District-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Pandey, Adv.
For the Informant	:	Mr. Dhananjay Kumar, Adv.
For the Opposite Party/s	:	Mr. Anuj Kumar Shrivastava, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 16-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Mirganj P.S. Case No. 15 of 2022 lodged under Sections 302/34
of the Indian Penal Code read with Section 27 of the Arms Act.

As per the prosecution case, the informant disclosed
that 8 named persons reached and surrounded the father of the
informant and started indiscriminate firing upon the family of
the informant, in which father of the informant injured and he
died after primary medical help, who referred informant's father
to Gorakhpur. Informant had every belief that, due to previous

enmity the above named 8 accused persons have killed the father of the informant.

Learned counsel for the petitioner submits that from the contents of the F.I.R., it is clear that no one is the eye witness of this event. He further submits that in the F.I.R. allegation of indiscriminate firing are there but from the postmortem report there is only one injury found and allegation of firing is upon 2 persons.

Learned counsel for the petitioner further submits that the deceased himself is a veteran criminal of the locality and there were 9 criminal cases pending against him and it might happened that some of his unknown criminal may killed him.

Learned counsel for the petitioner further submits that petitioner is in custody since 14.01.2022 and chargesheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail and submits that bail application may be rejected.

Learned counsel for the informant has specifically pleaded that the deceased himself disclosed about the name of the person who fired on him to the informant and he has taken the name of the present petitioner also.

In the present facts and circumstances of this case and

the submissions made above, I am not inclined to grant bail to the petitioner at present, but hereby directed to the trial Court that he shall release the petitioner on bail to his satisfaction after framing of charge.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

ritik/-

U		T	
---	--	---	--