

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20842 of 2022

Arising Out of PS. Case No.-562 Year-2021 Thana- HARNAUT District- Nalanda

Sonu Kumar Son Of Sanjay Kumar @ Sanjay Singh R/O- Village- Daili, P.S.-
Harnaut, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Sr. Advocate Ms. Vaishnavi Singh, Advocate
For the Informant	:	Mr. Raj Kishor Prasad, Advocate
For the State	:	Mr. Vinod Shanker Modi, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

6 19-09-2022 Let the defect(s), 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
Harnaut P.S. Case No. 562 of 2021 lodged under Sections 147,
148, 149, 452, 307, 504 and 506 of the Indian Penal Code and
section 27 of the Arms Act.

As per prosecution, F.I.R. has been lodged against 5
named accused persons alleging therein that at the night of
23.11.2021 in total 10 accused persons have entered in the
courtyard of the informant, the informant has identified only 5
persons. The allegation against the present petitioner is to shot

fire on the brother of the informant, due to which he injured and he was taken to primary health center, thereafter referred to PMCH. It also transpires from the F.I.R. that the dispute has taken place due to encroachment of land.

Learned counsel for the petitioner submits that the date of occurrence is 23.11.2021 but F.I.R. has been lodged after delay of about 5 days i.e. on 28.11.2021. He further submits that due to this occurrence, only injury has caused. He further submits that the petitioner is in custody since 04.12.2021 and charge sheet has already been filed. On the point of criminal antecedent of petitioner, learned counsel for the petitioner submits that there are two criminal cases pending against the petitioner and in both the cases he is on bail.

Learned counsel for the State opposes the prayer for bail and submits that there is a direct allegation against the present petitioner to shot fire by pistol.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that the cause of delay has already been explained in the F.I.R. itself that due to treatment, the delay caused.

In reply to the informant, learned counsel for the petitioner submits that admittedly treatment has taken place in

the PMCH and there is already an arrangement in the PMCH so that any information to the police immediately be lodge before the Pirbahore P.S. because one post of Pirbahore is functional 24 hours in the PMCH.

In the present facts and circumstances of the case and the submissions made above, I am not inclined to grant bail to the petitioner at present but liberty is hereby granted to the petitioner to move for bail after three months from the date of framing of charge.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

ravishankar/-

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