

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21587 of 2022

Arising Out of PS. Case No.-85 Year-2020 Thana- BIRPUR District- Supaul

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JAGDISH KORGIYA @ JAGDISH KOROGIYA S/o Late Sitaram Korgiya
Resident of Village- Bauraha, Ward No.07, P.S.- Birpur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv. Mr. Satish Kumar Giri, Adv.
For the State	:	Mrs. Madhuri Lata, APP
For the Informant	:	Mr. Sanjeev Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 27-09-2022 Heard learned counsel for the petitioner, learned
A.P.P. for the State assisted by learned counsel for the informant.

The petitioner seeks bail in connection with Birpur P.S. Case No. 85 of 2020 registered for the offences punishable under Sections 341, 342, 307, 302, 120(B), 379, 34 of the Indian Penal Code and 27 of the Arms Act.

As per prosecution case, there is accusation against the petitioner to have made indiscriminate firing upon the informant's husband by pistol.

Learned counsel for the petitioner submits that petitioner is in custody since 13.01.2022 and bears criminal antecedent of one case. He further submits that petitioner has falsely been implicated in this case due to political rivalry. He



further submits that petitioner is not assailant of the deceased. Informant is not eye witness of the alleged occurrence. Nothing has been recovered from the person or possession of the petitioner.

The learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the prayer for bail of the petitioner submitting that there is specific allegation of firing against the petitioner and the same is corroborated by the injury report of victim.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with injury report as well as material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

However, the petitioner may renew prayer of bail after six months from the date of receipt/production of copy of this order to the court concerned, if there is no substantial progress in the proceeding of trial within the stipulated period.

(Alok Kumar Pandey, J)

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