

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25558 of 2022

Arising Out of PS. Case No.-4 Year-2022 Thana- BIRUPUR District- Lakhisarai

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Kamo Sahni @ Kameshwar Sahni S/o Late Babu Lal Sahni, Resident of
Tinmuhani, P.s.- Ghoswari, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Vinay Pd. Singh, Adv.

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 20-12-2022 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
Bisupur P.S. Case No. 04 of 2022 lodged under Sections 147,
148, 149, 302 of the I.P.C. read with Section 27 of the Arms Act.

As per the prosecution case, the informant has
disclosed that his son was fishing in river then all of a sudden
the petitioner came there and fired due to which his son was
injured and died on spot. There were 12 named accused persons
in this case.

Learned counsel for the petitioner submits that for the
said date and place of occurrence, There are 2 criminal cases

filed in this case. Learned counsel further submits that it is true that dispute was taken place for fishing but firing has taken place from both the sides and injury has also caused from both the sides. The another F.I.R. has been lodged on the same date bearing F.I.R. No. 31 of 2022 which was lodged at Pirbahore Thana and the injured person was admitted and referred PMCH for treatment. Learned counsel further submits that both the parties are not criminal and at the spur of moment, this dispute has arisen in which indiscriminate firing took place from both the sides which resulted into death of one party and serious injury to the other. He submits that antecedent of the petitioner is clean and he is in custody since 02.02.2022. Upon specific query whether charge has been framed or not, learned counsel submits that he is unaware about framing of charge in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected but liberty is hereby granted to the petitioner that he may renew his prayer for bail one month after framing of charge and the Trial Court is directed to release him on bail

imposing conditions so that he may not evade his appearance during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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