

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32288 of 2022

Arising Out of PS. Case No.-19 Year-2022 Thana- CHANDI District- Bhojpur

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Jai Bahadur Singh Son of Sadanand Singh Resident of Village - Ramdihal
Tola (Jogta), P.S.- Chandi, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 31-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Chandi P.S. Case No. 19 of 2022 registered for the offences
under Sections 307, 504 and 34 of the Indian Penal Code and
Section 27 of the Arms Act.

As per the main allegation, the petitioner came at the
house of the informant along with two unknown persons and at
that time the petitioner was carrying a Rifle and other co-
accused persons were also equipped with weapons and
thereafter the petitioner started abusing the informant's mother



which was objected by her and then the petitioner fired at her which caused fire-arm injury on right thigh of the informant's mother and thereafter the accused persons including the petitioner fled away and the informant's mother was treated at a private hospital.

The main submissions advanced by the learned counsel Mr. Manoj Kumar for the petitioner are that as per the prosecution story at the time of alleged firing the informant's mother was at the roof of her house and the petitioner was at the gate of informant's house and according to the allegation the petitioner fired from down to upper side and in such firing no injury on thigh of a person standing at the upper side is possible hence the allegation made in the FIR is completely absurd and at the time of alleged occurrence any family member of the informant did not make any resistance. Further submission is that as per the FIR the informant's mother was treated at a private hospital by a private doctor and the medical report of the so-called victim is manipulated.

Learned APP Mr. Binod Kumar appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR. There is a serious and specific allegation against the petitioner and he



allegedly fired at the informant's mother who sustained grievous injury and the same has been opined to be caused by fire-arm as appears from the order of the learned Court below. Considering the seriousness of the allegation made against the petitioner, in the opinion of this Court the petitioner does not deserve to the privilege of bail. Accordingly, his bail prayer stands rejected.

The trial Court is directed to expedite the trial of the petitioner. If petitioner's trial is not concluded in the next one year then the petitioner may renew his bail prayer. The petitioner is also given liberty to renew his bail prayer after the examination of the so-called injured victim before the trial Court.

(Shailendra Singh, J.)

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