

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45889 of 2022

Arising Out of PS. Case No.-285 Year-2021 Thana- BIHTA District- Patna

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Golu @ Vishal @ Vishal Kumar Son Of Ranjan Mishra R/O Goraiya Sthan
Jinpura Road, P.S- Bihta, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate

For the Opposite Party/s : Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-12-2022 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 through video conferencing.

Petitioner seeks regular bail in connection with Bihta
P.S. Case No.285 of 2021 registered for the offences punishable
under Sections 394, 307, 353, 332 and 333 of the Indian Penal
Code, 1860 and Sections 25(1-b)a, 25 1(AB), 26 and 27 of the
Arms Act, 1959.

As per the prosecution, the informant's service rifle
was snatched by an unknown person on a gun point and he also
assaulted the informant and fired by using the snatched service
rifle and a country made pistol and caused fire-arm injury to a



local person.

The main submissions advanced by the learned counsel Mr. Patanjali Rishi appearing for the petitioner are that in respect of the alleged occurrence three police cases bearing Bihta P.S. Case Nos. 284 of 2021, 286 of 2021 and the present case have been lodged and all these FIRs relate to the same occurrence having taken place in the same transaction and the allegation made in the FIR is totally absurd and unbelievable as admittedly informant was accompanied by other home guard constable at the time of alleged occurrence and all these cases have been lodged to frame this petitioner in false cases and he has been languishing in jail since 06th December, 2021.

Learned APP Md. Mushtaque Alam appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR. The allegation appearing against the petitioner from the FIR is serious in nature as he not only attacked at the police personnel but also snatched their official fire-arm and during the course of investigation the looted fire-arm which was a Government rifle was recovered from the possession of this petitioner as mentioned in the order of learned Court below and the said recovery was made after injuring the petitioner which shows



that the petitioner made resistance against the official act of the police personnel. Considering the seriousness of the allegation appearing against the petitioner, he does not deserve to the privilege of bail. Accordingly, his bail prayer stands rejected.

Petitioner may renew his bail prayer after six months, if any significant progress is not made in respect of the trial of his case.

(Shailendra Singh, J.)

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