

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 53197 of 2022

Arising Out of PS. Case No.-234 Year-2021 Thana- BARHARA District- Bhojpur

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Karan Kumar S/o Manik Ray R/o village- Kolhrampur, P.S.- Barahara,
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rama Kant Singh, Adv.
For the Informant	:	Mr. Krishna Murari, Adv.
For the Opposite Party/s	:	Mr. Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-11-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Barahara P.S. Case No. 324 of 2021 lodged under section 147,
148, 149, 323, 307 of the Indian Penal Code and Section 27 of
the Arms Act.

As per the prosecution case, the F.I.R. has been
lodged against 13 named accused persons, who have alleged to
fire upon the informant and were going with sand loaded on a
tractor, which was opposed by the informant. It was alleged that
the present petitioner fired upon the informant. The informant is

an eye witness, who suffered injury on his body and the petitioner and his friends fled away.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that the petitioner himself stated in the F.I.R. that initially he was sent P.H.C., Koilwar but no information communicated to police by the informant and when he reached Ara, then only the F.I.R. was lodged. He submits that the date of occurrence was 08.04.2021 but the F.I.R. was lodged on 09.04.2021 where the distance between the place of occurrence and P.S. is about 6 km.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that there is a direct allegation against the present petitioner to make gunshot fire on the informant due to which he got injured and is under treatment in a hospital.

Upon specific query that whether charge has framed or not, learned counsel for the petitioner submits that charge has not framed in this case till date.

In the present facts and circumstances of this case and

the submissions made above, I am not inclined to grant bail to the petitioner and bail application is hereby **rejected**.

Liberty is hereby granted to the petitioner to move for bail **60 days** from the date of framing of charge.

Trial Court is directed to release the petitioner on bail after imposing its own conditions on the petitioner, so that he may not evade his appearance during trial.

(Dr. Anshuman, J.)

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