

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70333 of 2021**

Arising Out of PS. Case No.-317 Year-2021 Thana- NATHNAGAR District- Bhagalpur

BIRU MANDAL @ BIRENDRA PRASAD SINGH @ BIRAN MANDAL @
VIRENDRA PRASAD SAH S/o Suresh Mandal Resident of Manaura
Badarpur, P.S.- Madhusudanpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajendra Prasad Sah

For the Opposite Party/s : Mr.Rita Verma

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

4 18-10-2022 Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

Learned counsel for the petitioner filed supplementary affidavit which is kept on record.

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

The petitioner seeks bail in connection with Nathnagar (Madhusudanpur) P.S. Case No. 317 of 2021 registered for the offences punishable under Sections 307 of the Indian Penal Code read with Section 27 of the Arms Act.

As per prosecution case, there is accusation against the sole accused-cum-petitioner that he has fired upon informant which hit the cheek and passed through the base of nose as a result of which informant sustained injury.



Learned counsel for the petitioner submits that petitioner is in custody since 07.08.2021. Petitioner bears no criminal antecedent. Learned counsel further submits that there is a delay of 24 hours in lodging the F.I.R. which is an afterthought.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner. Learned counsel further submits that there is direct allegation of firing against the present petitioner which hit the informant's cheek and passed through base of nose and same is supported and corroborated by the injury report as mentioned in impugned order.

Considering the facts and circumstances of the case, nature of accusation against the petitioner coupled with injury report as mentioned in impugned order and materials available on record, I am not inclined to grant bail to the present petitioner. Accordingly, prayer for bail of the present petitioner stands rejected.

However, learned trial court is directed to conclude the trial as early as possible.

(Alok Kumar Pandey, J)

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