

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.143 of 2022

Arising Out of PS. Case No.-219 Year-2021 Thana- HATHUA District- Gopalganj

Krishna Sah @ Hareram Sah Son of Late Heera Sah Resident of Village-
Sohagpur, P.S.-Hathua, District-Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-12-2022 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
Hathua P.S. Case No. 219 of 2021 lodged under Sections 302/34
of the I.P.C. read with Section 27 of the Arms Act.

As per the prosecution case, the F.I.R. has been lodged
against 7 named accused persons alleging therein that they
entered in the shop of the informant and fired on the son of the
informant due to which he died.

Learned counsel for the petitioner submits that from
the contents of F.I.R., it transpires that the F.I.R. has been
lodged on hearsay evidence. Learned counsel further submits
that the date of occurrence is 08.09.2021 but F.I.R. has been

lodged on 09.09.2021. Learned counsel further submits that petitioner's antecedent is clean and he is in custody since 10.09.2021, charge sheet has already been filed in this case. He submits that the other co-accused persons have been granted bail vide order dated 11.10.2022 and 17.10.2022 passed in Cr. Misc. No. 23566 of 2022 and Cr. Misc. No. 72205 of 2022.

Learned counsel for the State opposes the prayer for bail and submits that the involvement of present petitioner by gun-shot has come in Paragraph 40 of this case. He submits that the story of taking money and selling land to other persons, upon demand non-return of money is the cause for said occurrence.

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.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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