

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10652 of 2023

Arising Out of PS. Case No.-263 Year-2022 Thana- RASULPUR District- Saran

SARVJEET MALI @ SUJEET KUMAR S/o Prithvi Kumar Mali R/o Village
and P.O.- Rasulpur, P.S.- Rasulpur, Distt- Saran(Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Rasulpur P.S. Case No. 263 of 2022 instituted for the offence
under Sections 341, 323, 307/34 of the Indian Penal Code and
Section 27 of the Arms Act.

As per allegation in the FIR, the informant alleged
that on 14.9.2022 at about 7:00 PM, while she was waking in
front of her house, in the meantime, the accused persons
including the petitioner came on a motorcycle and surrounded
her. The petitioner got down from the motorcycle and fired in
the abdomen of the informant due to which she sustained gun
shot injuries.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. The informant



and the petitioner are resident of same village and due to dirty village politics, the petitioner has falsely been implicated in this case. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 16.9.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the informant has made direct allegation against the petitioner that he fired upon her due to which she sustained injury. From perusal of injury report which is annexed as Annexure-2, it appears that the injury sustained by injured is opined as grievous in nature and caused by firearm which corroborates with the prosecution version.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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