

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11601 of 2023**

Arising Out of PS. Case No.-143 Year-2022 Thana- BARHARIA District- Siwan

IRSHAD SHAH Son of Shahnwaj Shah Resident of Village - Babu Hata
Bazar, P.S.- Barhariya, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Shrivastava, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 10-05-2023 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

The petitioner is an accused in connection with Barhariya P.S. Case No. 143 of 2022 registered for the offences under sections 341, 323, 324, 307, 504 and 34 of the Indian Penal Code and sections 25(1-b) (a) and 26 of the Arms Act lodged on 31.03.2022 by the informant, Gayasuddin Sah.

The prosecution case, in brief, is that informant made fardbayan to the police that on 30.03.2022 he was sitting at his door while son was walking when Sahnawaz Shah came with his son Irshad Shah and as his son reached the shop of Pradeep Pan, Sahnawaz Sah ordered his son to kill Imtiyaz then Irshad Shah took out country made pistol from his waist. Imtiyaz caught him as a result the pistol fell on the ground. Thereafter,



Irshad Sah assaulted with knife at Stomach and neck of my son, as a result of which, his son got injuries. As the informant came to rescue Shanawaz and Irshad also beat him too. Thereafter, with the help of villagers, he took his son to the Primary Health Centre from where he was referred to Sadar Hospital Siwan and seeing the condition, was referred to Gorakhpur. Accordingly, the FIR.

Considering the kind of allegation that has come against the petitioner, this Court is not inclined to extend him the privilege of bail for the present, which is accordingly rejected.

(Rajiv Roy, J)

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