

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22178 of 2023

Arising Out of PS. Case No.-410 Year-2022 Thana- BEUR District- Patna

Subodh Kumar, Son of Shiv Kumar Pandit, Resident of Korawan, Chiksaura,
P.S.- Hilsa, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Beur P.S. Case No. 410 of 2022 registered for the alleged offences under Section 307 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, daughter of the informant was shot at by the petitioner when she spurn his overture.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. There is variation in the statement of the victim girl recorded under Section 161 Cr.P.C. as well as under Section 164 Cr.P.C. There is no eye-witness to the occurrence. The version of the informant is not believable as informant has stated that he was



told about the name of the petitioner by her daughter but from the police version, it appears that injured was not in a position to give her statement. The petitioner is in custody since 22.08.2022 and charge-sheet has been submitted.

5. Learned APP opposes the prayer for bail submitting that in her statement recorded under Section 164 Cr.P.C., the victim has named this petitioner who fired upon her. It has also come in the rejection order of the bail of the petitioner by the learned lower court that at the instance of the petitioner a country made *katta* and live cartridges were recovered which was used in the occurrence.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there is direct and specific nature of allegation against the petitioner for firing upon the daughter of the informant, I am not inclined to enlarge the petitioner on bail.

7. Hence, his prayer for bail is rejected.

8. However, learned trial court is directed to expedite the trial and conclude the same within nine months.

(Arun Kumar Jha, J)

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