

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22400 of 2022

Arising Out of PS. Case No.-143 Year-2021 Thana- RAGHUNATHPUR District- Siwan

SABIR ALI Son of Akbar Miyan Resident of Village - Pattar Chatti, P.S.-
Raghunathpur, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms.Kumari Anupam, Advocate
For the Opposite Party/s	:	Mr.Bhanu Pratap Singh, APP
For the informant	:	Mr. Satyendra Rai, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 24-01-2023 Heard the learned counsel for the petitioner and
the learned APP for the State.

The petitioner seeks regular bail in connection with Raghunathpur PS case no. 143 of 2021 instituted for the offences punishable under Sections 307, 387/34 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of Arms Act.

The allegation is regarding the accused persons having demanded extortion money from the informant and thereafter, they had arrived at the house of the informant and had fired gun shot as also had assaulted the informant. As far as the petitioner is concerned, he is stated to have fired gun shot on the chest of the son of the informant, resulting in him sustaining firearm injury.



The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case, he is having a clean antecedent and is languishing in custody since 06.10.2021. The learned counsel for the petitioner has referred to the supplementary affidavit filed in the present case to submit that the petitioner is an accused in two other cases but he is on bail in both the cases. It is also submitted that all the witnesses are interested witnesses and no independent witness has come forward to support the case of the prosecution.

Per contra, the learned APP for the State and the learned counsel for the informant have vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also those available in the case diary, this Court finds that the complicity of the petitioner in the alleged crime is writ large, however, considering the averment made by the learned counsel for the informant to the effect that the trial of the present case is on the verge of completion, I deem it fit and appropriate to grant liberty to the petitioner to



renew his prayer for grant of bail after expiry of six months from today, in case, there is no substantial progress in the on-going trial.

The present petition stands disposed off with the aforesaid observations and directions.

(Mohit Kumar Shah, J)

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