

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22361 of 2023

Arising Out of PS. Case No.-124 Year-2022 Thana- KATIHAR NAGAR District- Katihar

Golu @ Golden Kumar @ Kundan Ray S/O Madan Mahto @ Madan Ray
R/O Village- Laliyahi, P.S- Sahayak, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since 29.03.2022, in connection with Sessions Trial No. 543 of 2022 arising out of Katihar Town P.S. Case No. 124 of 2022, F.I.R. dated 15.03.2022 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is that he shot fire on informant's son Shailendra and Mala Devi.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R.



Learned APP for the State, on the other hand, on the basis of material available on record and the case diary, vehemently opposed the prayer for bail and submits that it has come during investigation that the petitioner has fired upon the victim and there is direct and specific allegation against the petitioner and in paragraph-9 of the case diary, the statement of the witness, namely Mala Devi, who is an eye witness of the alleged occurrence, stated that the petitioner had fired upon the victim.

Considering the aforesaid facts that there is direct allegation that the petitioner fired upon the victim, I am not inclined to enlarge the petitioner on bail in connection with Sessions Trial No. 543 of 2022 arising out of Katihar Town P.S. Case No. 124 of 2022 pending in the Court of Additional Sessions Judge-V, Katihar.

Prayer is refused.

(Rajesh Kumar Verma, J)

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