

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30333 of 2022

Arising Out of PS. Case No.-144 Year-2021 Thana- PATNA CITY CHOWK District- Patna

MD. WAZID @ GOLTI SON OF MD. SAMIM @ MD. SAMIM BAVARCHI
R/O- BANDHPUR P.S.- CHOWK DIST.- PATNA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Swarup Prasad
For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 20-01-2023 Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Chowk P.S. Case 144/2021, registered for the offence punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the petitioner is alleged to have fired upon the informant's son which hit him on chest as a result of which the informant's son died.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to village politics. The petitioner is languishing in



custody since 25.05.2021 and bears criminal antecedent of two cases in both cases he is on bail. No incriminating articles has been recovered from the possession of the petitioner.

The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner and submits that there is specific allegation of firing against the petitioner which hit the chest of the informant's son and postmortem report also supports that the death is caused by fire-arm injury.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with postmortem report and material available on record, I am not inclined to grant bail to the petitioner. Hence, prayer for bail of the petitioner stands rejected.

However, the trial court is directed to expedite the trial as early as possible.

(Alok Kumar Pandey, J)

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