

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38344 of 2023

Arising Out of PS. Case No.-54 Year-2023 Thana- SAHARSA SADAR District- Saharsa

ROCKY SAGAR @ UMAR TABREZ S/O MD. HANNAN @ HANNO @
WASIM AKRAM R/O Village- Saharsa Basti Ward No. 39 Saharsa PS. and
Dist.Saharsa

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-07-2023 Heard the parties.

The petitioner is in custody in connection with Saharsa Sadar P.S. Case No. 54 of 2023 for the offence under Sections 341, 323, 307, 326, 504 and 34 of the Indian Penal Code lodged on 25.01.2023 by the informant, Gautam Patel.

The brief fact of the prosecution is that on 24.01.2023, Vishwajit Kumar, the elder son of the informant went to M.L.T. College, Saharsa to inquire about enrollment in B.C.A. Ist session. While returning, at about 11:30 a.m. (day) when he reached near roundabout in front of the college office, he saw



that Anand Kumar, friend of Vishwajit Kumar, Rocky Sagar, Mo Sakil, Jeevan and 5-6 unknown persons are abusing and fighting together near Chandan Kumar's lawyer's house. Seeing this, when the informant's son Vishwajit Kumar went to save his friend Anand Kumar, the above people started abusing him too. When the informant's son confronted, Rocky Sagar fired at the informant's son which hit on the right side of his stomach. He fell down there bleeding started and all the above people ran away from there threatening to kill him. He was admitted to Dr. Ranjesh Kumar Singh's hospital at Gayatri Nursing Home, where he was treated. Accordingly, the F.I.R.

The allegation in the F.I.R. is against the petitioner of opening fire which hit the abdomen of the informant's son Vishwajit Kumar.

Considering the kind of allegation that has come against the petitioner as also that he has criminal antecedent, this Court, for the present, is not inclined extend him any relief, which is accordingly rejected.

(Rajiv Roy, J)

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