

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39868 of 2022

Arising Out of PS. Case No.-91 Year-2022 Thana- MANJHAGARH District- Gopalganj

Sanjay Sah Son of Late Mahadeo Sah R/o Village- Chhitauli, P.S.-
Manjhagarh, Disrict- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 02-02-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with
Manjhagarh P.S. Case No.91 of 2022, registered for the
offences punishable under Sections 307 of the Indian Penal
Code and Section 27 of the Arms Act.

The prosecution case as emerges from the FIR is
that on 19.03.2022 at around 11:00 am when the informant
was sitting at the door of her house, all of a sudden her
Bhaisur came with a country made pistol and fired at one
Seema Devi causing grievous injury on her chest and she is
still undergoing treatment.



Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner has been languishing in jail since 29.03.2022 i.e for about ten months. He also submits that charge-sheet has already been submitted. However, charge in this case has not been framed yet.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail submitting that an innocent lady has been severely injured by the petitioner by fire arm causing grievous injury on her chest and the victim is still under treatment.

Considering the nature of allegation and injury, I am not persuaded to enlarge the petitioner on bail at this stage.



The petition is dismissed accordingly.

However, Ld. Trial Court is directed to expedite the Trial and in case the Trial is not concluded within one year, the petitioner will have liberty to renew his prayer for bail.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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