

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51016 of 2022

Arising Out of PS. Case No.-150 Year-2021 Thana- TATARPUR District- Bhagalpur

Md. Sagar Son Of Md. Azad Resident Of - Urdu Bazar, P.S.- Tatarpur, District
- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 24-07-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged against the petitioner that he shot at the brother of the informant, as a result of which, he sustained gunshot injuries on his head and he succumbed to the injuries.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely



been implicated in this case. The petitioner and the deceased were friends and petitioner is not involved in the commission of murder of the brother of the informant. As per F.I.R, the occurrence took place in dark night, hence, it is improbable for the informant to identify who has shot at the deceased. The petitioner is languishing in custody since 05.10.2021. A statement has been made in para 3 of the petition that petitioner is accused in one other case apart from the present one.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that there is specific allegation against the petitioner that he shot at the deceased in close range on his head, as a result of which, he died at the spot. The postmortem report as well as the witnesses have also supported the case of the prosecution.

Considering the fact that there is specific accusation against the petitioner, this Court is not



inclined to grant bail to the petitioner. The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial and conclude the same within a period of one year from today.

(Sunil Kumar Panwar, J)

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