

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56709 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- PARSA District- Saran

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LAL BABU MIAN SON OF MD. ABBAS MIAN RESIDENT OF
VILLAGE- HARPUR PARSA, PS- PARSA, DISTT- SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Udai Shankar Singh
For the Opposite Party/s :	Mr.Satyendra Narayan Singh
For the State :	Mr. Jharkhandi Upadhyay

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 30-08-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. Let the defect(s), if any, be removed within a period
of four weeks from today.

3. The petitioner seeks bail in connection with Parsa
P.S. Case No. 23 of 2023 registered for the offence under
Section 307 read with Section 34 of the Indian Penal Code and
under Section 27 of the Arms Act.

4. As per the prosecution case, the criminals tried to
loot the informant by firing at him when he was going on his
Motorcycle and the shot hit him in his waist. The FIR has been
registered under Section 307/34 of the Indian Penal Code and
Section 27 of the Arms Act by the Parsa Police Station.



5. It seems that the S.H.O., Parsa Police Station lacks knowledge of criminal law as for trying to commit loot the criminals should be prosecuted in the relevant Sections of the Indian Penal Code.

6. The Superintendent of Police, Saran is directed to look into the matter personally and to see to it that the criminals in the present case are prosecuted under the proper Sections as in the opinion of this Court offence under Section 392 of the Indian Penal Code is also made out.

7. In view of the criminal antecedents of the petitioner and also in view of the seriousness of the crime in question, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer of bail of the petitioner is rejected herewith.

9. The Court below is directed to expedite the trial.

10. Let a copy of this order be communicated to the Superintendent of Police, Saran through FAX and e-Mail for its compliance forthwith.

(Sandeep Kumar, J)

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