

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59962 of 2022

Arising Out of PS. Case No.-345 Year-2022 Thana- DHAKA District- East Champaran

Tarun Mishra S/O Satendra Mishra R/O Village/Mohalla- Karmava, P.S.-
Dhaka, Distt- East Champaran

.... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Pandey

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-03-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for bail in connection with Dhaka P.S. Case No. 345 of 2022 instituted for the offence under Sections 452, 341, 323, 324, 326, 307, 380, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case in short is that accused persons, namely, Tarun Mishra (petitioner), Arun Mishra, Varun Mishra and Satendra Mishra along with two unknown persons came at the door of the informant and started searching to one Vijay Mishra, thereafter, accused persons entered in the house of the informant and the petitioner Tarun Mishra made fire on the father of the informant, due



to which he sustained gunshot injury on head and fell down.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this present case. It is further submitted that both parties are agnates and the land dispute is going on between the parties. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 14.06.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that there is specific overt act of shot fire upon the head of the informant's father against the petitioner. During investigation, witnesses also supported the prosecution case, and injury also corroborates the prosecution case. As per medical report, the injuries sustained by injured is on frontal and temporal bone at left side and is caused by fire arm and a bullet present in subcutaneous layer in left temporal region and the nature of injury is grievous.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his



prayer for bail stands rejected.

The trial court is directed to expedite the trial and
conclude the same within a period of six months.

(Sunil Kumar Panwar, J)

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