

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65737 of 2023

Arising Out of PS. Case No.-189 Year-2022 Thana- ANDHRATHARHI District- Madhubani

Akhilesh Kumar Singh Son Of Late Yogendra Singh Resident Of Village-
Pastan, Ps- Andrathadhi, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 13-12-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Aandhrathadhi P.S. Case
no. 189 of 2022 registered under sections 307 and 34 of the
Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states
that he received a gun shot injury in his stomach as a result of
which he fell down unconscious. Subsequently it transpired that
it was the petitioner who had fired the shot which hit him.

4. It has been submitted by learned counsel for the
petitioner that from the F.I.R. itself it would be evident that the
informant is not an eyewitness to the occurrence. There is an
inordinate delay of nine days in lodging of the F.I.R. The



allegations as leveled in the F.I.R are false and concocted. The petitioner is in custody since 8.5.2023 and investigation in the case has concluded.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R being that he was responsible for the gun shot injury sustained by the informant together with charge-sheet having been submitted in the case under sections 307 and 34 of the Indian Penal Code and section 27 of the Arms Act, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. The petitioner is given liberty to renew his prayer for bail after framing of charge.

(Partha Sarthy, J)

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