

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72082 of 2022

Arising Out of PS. Case No.-371 Year-2020 Thana- KHAIRA District- Saran

Harshit Mishra @ Aditya Vinayak @ Harshit Kumar S/o Devendra Mishra
R/o Village- Chetan Chapra, P.S.- Baniyapur, Distt- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harsh Anuj

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Parbatta P.S. case No. 128 of 2022 instituted for the offence under
Sections 341, 323, 307, 504, 506 of the Indian Penal Code and
Section 27 of the Arms Act.

As per allegation in the FIR, on the alleged date of
occurrence when the informant was coming to Chapra from his
house and reached near Pawan Marriage Hall, the co-accused
along with this petitioner on two motorcycles came there, started
abusing and caught hold the informant. In the meantime, the
petitioner fired upon him due to which he sustained gun shot
injury.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. He has falsely



been implicated in the present case due to village politics. It is further submitted that the petitioner is languishing in judicial custody since 31.08.202.

Learned APP appearing for the state has vehemently opposed the prayer of regular bail and submitted that from perusal of prosecution case, there is direct and specific overt act against this petitioner who fired upon the informant which hit right side of his waist from where blood was oozing and the injury report of the informant which is mentioned in para-95 of the case diary corroborates the prosecution case and doctor also opined that the injury sustained by the informant is grievous in nature caused by gunshot. It is further submitted that during investigation, witnesses supported the prosecution case.

Having heard the learned counsel for the parties and considering the fact that there is direct allegation against this petitioner, 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 as soon as possible.

(Sunil Kumar Panwar, J)

lata/-

U		T	
---	--	---	--

