

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63576 of 2022**

Arising Out of PS. Case No.-330 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

MD MANSOOR @ BABLU, S/o- Md. Ahmad, R/o- vill- Mubarakpur Sankh,
P.S.- Muffasil, Dist- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv.
	:	Ms. Kumari Anupam, Adv.
For the State	:	Mr. Shantanu Kumar, APP.
For the Informant	:	Mr. Sandip Kumar Gautam, Adv.

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

6 06-04-2023 Heard learned senior counsel for the petitioner,
learned APP for the State and learned counsel for the informant.

Petitioner seeks regular bail in connection with
Begusarai Muffasil P.S. Case No. 330 of 2022 dated 25.06.2022
registered for the offences punishable under Sections 341 and
307/34 of the Indian Penal Code and Section 27 of Arms Act.

As per the prosecution, the informant (victim) alleged
that when she was returning home with her brother, this
petitioner along with other co-accused persons tried to kill her
by firearm in which she sustained firearm injury.

The main submissions advanced by petitioner's senior
counsel are that the alleged offence of 307 of I.P.C. is not made
out in this case as there is no allegation of repeated firing



against the petitioner on the victim and the said victim sustained injury as per the FIR on non-vital part of her body and the FIR was lodged after the delay of twenty-four hours from the commission of the alleged occurrence and the petitioner has been languishing in jail since 26.06.2022.

Learned counsel appearing for the informant has vehemently opposed the bail prayer and submitted that initially the informant lodged a case against the petitioner and others under POCSO Act with serious allegations, in which the petitioner and other co-accused persons were making pressure upon her to abstain from giving evidence before the trial Court and finally, the co-accused persons committed alleged occurrence and in the said POCSO case, the petitioner is the main accused and in the present matter, there is serious and specific allegation against the petitioner.

Learned APP appearing for the State has also opposed the bail prayer.

Heard both the sides and perused the FIR. As per the FIR, the victim was 18 years old when she lodged the FIR of the present matter and according to the allegations, she earlier lodged a case with an allegation of rape in the year 2021 against the petitioner and others and allegedly this petitioner and co-



accused persons were making pressure upon her to abstain from giving evidence before the trial Court and finally the accused persons committed the alleged occurrence and against the petitioner, there is specific allegation of having fired at the victim and the same was committed by the petitioner to prevent the victim from giving her evidence in the said POCSO case which was lodged by her against the petitioner. Considering the seriousness of the accusation appearing against the petitioner, in my opinion it is not a fit case for bail to the petitioner. Accordingly, his prayer for bail stands rejected.

(Shailendra Singh, J)

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