

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66244 of 2023

Arising Out of PS. Case No.-74 Year-2023 Thana- SHEOHAR District- Sheohar

VIJAY KUMAR SINGH Son of Late Krit Narayan Singh R/o vill -
Mahuariya, P.S. - Sheohar, Distt. - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 2 16-10-2023 1. Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.
2. The petitioner has preferred this application for
grant of regular bail in connection with Sheohar P.S. Case no.74
of 2023 registered under sections 307 and 34 of the Indian Penal
Code and section 27 of the Arms Act.
3. As per the prosecution case, it is stated that as a
result of the firing resorted to by this petitioner, the informant
sustained gunshot injury in his right thigh.
4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. The cause of
false implication is ongoing litigation between the parties since
the year 1996 which would be evident from the records of the
title suit, the second appeal and the S.L.P. brought on record.



Further, referring to Annexure-3 to the petition, learned counsel submits that the case is pending for execution and it is at this stage that for an occurrence which occurred not in a manner as has been narrated in the F.I.R, the petitioner has been falsely implicated. The petitioner is an ex-Army personnel, presently employed in the Bank. There is no chance of his absconding and he is in custody since 29.8.2023.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that not only there is direct allegation against this petitioner of having resorted to firing, the informant sustained gunshot injury as a result of the same and the same has been opined to be grievous in nature.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R. against the petitioner of having resorted to firing resulting in grievous injury to the informant, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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