

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71560 of 2022

Arising Out of PS. Case No.-61 Year-2022 Thana- KHUTAUNA District- Madhubani

Lalan Sah @ Lalan Kumar Sahu @ Lalan Kumar Sah Son Of Ram Autar Sah
@ Pandav Sahu R/V- Kushmar, Ps- Khutauna, Dist- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 302/34 of the I.P.C
& Section 27 of Arms Act. Chargesheet has been
submitted under Section 304 of I.P.C. & 27 of Arms
Act.

The allegation against the petitioner is that on
the order of co-accused persons, he fired upon the
Samdhi of informant, due to which he succumbed to gun
shot injuries.

It is submitted by learned counsel for the



petitioner that petitioner has been falsely implicated in this case. During investigation, this case has not been found true under Section 302 of I.P.C. and Charge-sheet has been submitted under Section 304 of I.P.C. There is no intention to kill the deceased. Moreover, the petitioner is in judicial custody since 08.08.2022.

Learned APP appearing on behalf of the State vehemently opposed the prayer of the petitioner and submitted that vide para 110,111, 112 of Case Diary, witnesses have supported the prosecution version of the case and postmortem report also corroborates with the prosecution case. There is specific allegation of shot fire is against the petitioner and doctor has opined the cause of death is due to Hemorrhage and shock cause by fire arm injury.

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.



Learned trial court is directed to expedite the
trial and conclude the same as early as possible.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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