

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15382 of 2024

Arising Out of PS. Case No.-57 Year-2020 Thana- VISHNUPAD District- Gaya

Mukesh Kumar @ Mukesh Sharma, Male, aged about 32 years, son of Late Kedar Singh @ Kedar Sharma, Resident of Village- Brahmani Ghat Bishnupad Mul Vil- Kaji Fatehpur Ps- Belaganj Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Archana Sinha @ Archana Shahi, Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Bishnupad P.S. Case No. 57 of 2020 registered for an offence punishable under Section 307 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, it is a case where petitioner ran away after firing upon the informant which hit on his shoulder.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. He next submits that there was a dispute between the parties.

5. Learned APP for the State opposed the prayer for bail of the petitioner.

6. On perusal of the first information report and impugned order dated 06.01.2024 passed by learned Additional



Sessions Judge-XII, Gaya, it appears that the petitioner is named in the FIR and this FIR was registered under Sections 307 of the IPC and Section 27 of the Arms Act and on the basis of fardbeyan of the informant-cum-injured stating that there is specific allegation against the petitioner and further states that several attempts have been taken by the petitioner to kill the informant and also one grievous injuries caused on shoulder of the informant as stated in the impugned order and it appears that this injury report of the injured is grievous in nature by two fire arm injuries and total five criminal antecedents report like arms Act and it appears to be an attempt to commit murder and extortion by the petitioner, in these circumstances, I am not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for bail of the petitioner is hereby rejected.

8. However, the learned trial Court is directed to conclude the trial within one year from the date of receipt of a copy of this order.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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