

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10750 of 2024**

Arising Out of PS. Case No.-226 Year-2023 Thana- MUSAHARI District- Muzaffarpur

Sahil Sinha @ Sonu Son of Mahesh Prasad Srivastav Resident of Vill.-
Saidnagar, P.S.-Bahadurpur, Distt.-Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Jha, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

3 16-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Mushari P.S. Case No. 226 of 2023, lodged on 04.08.2023 under
Sections 341, 323, 306, 307, 452, 504, 506 of the Indian Penal
Code read with sections 25(1-B)a/26/ 27 of the Arms Act.

3. As per the prosecution case, the FIR has been
lodged against the sole petitioner. The allegation against the
present petitioner is that he has assaulted the informant's wife
and fired a gun shot upon her due to which she sustained injury.
It also transpires from the FIR that the petitioner has been
arrested with one loaded desi pistol, one live cartridge and two
empty cartridges.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel



also submits that the criminal antecedent of the petitioner is not clean and there is only one criminal case pending against him in which he is on bail. The petitioner is in custody since 18.08.2023 in the present case. Counsel submits that with regard to one criminal antecedent of the petitioner, the case was filed by the informant earlier.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that arms have been recovered from the possession of the petitioner along with live cartridges in addition to the allegation in the FIR.

6. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner at present.

7. Accordingly, the prayer for regular bail of the petitioner in connection with Mushari P.S. Case No. 226 of 2023, pending before the learned Judicial Magistrate 1st Class, 12th, East Muzaffarpur is **hereby rejected**.

8. Liberty is hereby granted to the petitioner that he may renew his prayer for bail six months after framing of charge.

(Dr. Anshuman, J.)

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