

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26338 of 2024

Arising Out of PS. Case No.-515 Year-2022 Thana- SIWAN CITY District- Siwan

Rais Sah, Male, aged about 47 years, Son of Meer Hasan Sah, Resident of Village- Ismail Sahid Takiya, P.S.- Sarai O.P. District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 26-04-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Siwan Town PS Case No. 515 of 2022 instituted for the offences punishable under Sections 341,307,379,504/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, six persons came ridding on a motorcycle with two unknown persons started abusing the informant's friend and in the meantime they also fired on his friend.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case due to land dispute. He



further submits that there is previous land dispute between the parties. Petitioner has two criminal antecedent. Petitioner has no concerned with the alleged occurrence. Petitioner is in custody since 22.06.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order dated 16.02.2024 passed by the learned Sessions Judge, Siwan, it appears that allegation against this petitioner is specific that he fired upon the informant with an intention to kill, as a result of which the informant sustained injury in his left hand and from the injury report, it appears that he sustained injury in his left Axills 1x1/2 Deep and the doctor found the nature of injury is grievous, hence the injury report corroborates the FIR.

7. Considering all these aspects of the case and nature of injury and criminal antecedent, I am not inclined to grant bail to the petitioner.

8. Prayer for regular bail of the petitioner is hereby rejected.

9. Learned trial Court is directed to conclude the trial preferably within a period of one year from the date of receipt of a copy of this order. If the trial is not concluded within the stipulated period, the petitioner may renew his prayer of bail



before the trial Court.

(Ramesh Chand Malviya, J)

Anand Kr.

U		T	
---	--	---	--

