

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43478 of 2024**

Arising Out of PS. Case No.-70 Year-2024 Thana- SIMRI District- Buxar

Nand Gopal Sharma Son of Late Srikishun Sharma Resident of village-  
Niyajipur, P.S.- Simari, District- Buxar

... .. Petitioner/s

Versus

The State Of Bihar BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Adv.  
For the informant : Mr. Vishwanand Upadhyay, Adv.  
For the State : Mr. Kalyan Shankar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      03-07-2024      Heard learned counsel for the petitioner, learned counsel  
for the informant and learned APP for the State.

2. The petitioner has preferred this application for grant  
of regular bail in connection with Simari P.S. Case No. 70 of 2024  
dated 05.03.2024 registered for the offences punishable u/ss 307  
read with Section 34 of the Indian Penal Code and Sections 25(1)  
and 27 of the Arms Act.

3. As per the prosecution case, the informant and his  
grandson went to see marriage ceremony in the village, at that  
time, the petitioner was making celebratory firing with country  
made katta then the other co-accused took the said katta from the  
hand of the petitioner and fired on the grandson of the informant  
with intention to kill him which hit his left side of stomach due to



which he sustained injury. Thereafter, the injured was taken to the hospital for treatment and during the course of treatment he died.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has further submitted that the specific allegation against the co-accused, Mangru Sharma who fired on the informant's grandson due to which he sustained injury in his stomach but the petitioner has no concern with the alleged offence. Nothing has been recovered from the possession of the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 28.03.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have opposed the bail petition of the petitioner and submitted that the petitioner was making harsh firing from his illegal country made pistol and the co-accused took pistol from the petitioner and fired on the informant's grandson due to which he sustained injury in his stomach and died during the course of treatment.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of offence against the petitioner, I am not inclined to enlarge the petitioner above-named on bail.

7. Learned trial court is directed to expedite the trial



and conclude the same within a period of six months. The petitioner will be at liberty to renew of his prayer of bail, if the trial is not concluded with the said period.

8. The application stands rejected.

**(Chandra Prakash Singh, J)**

Gautam/-

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