

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57039 of 2024

Arising Out of PS. Case No.-157 Year-2023 Thana- AANDAR District- Siwan

Shivam Singh S/O Manoj Singh Resident of village- Madeshilapur, P.S-
Ander, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 20-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Ander P.S. Case No. 157 of 2023, registered for the offences under Sections 307, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, petitioner threatened the informant and thereafter petitioner and other co-accused persons reached the house of the informant and called out the brother of the informant and the petitioner fired upon him on his chest with pistol causing injuries to him. The informant alleged that petitioner is a dreaded criminal.

4. Learned counsel appearing on behalf of the petitioner submits that from the FIR it is evident that informant



is not an eye witness and no one has seen the occurrence. Even the brother of the informant has not named the petitioner who allegedly suffered injuries. No motive has been ascribed for commission of offence by the petitioner. There was no intention to cause death as the allegation is firing of a single shot by the petitioner. Though firearm injury was found on the brother of the informant but opinion has been reserved about its nature. The petitioner is a victim himself and is in custody since 03.01.2024.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that the petitioner is a habitual offender and is accused in altogether six cases of serious nature.

6. Having regard to the specific allegation made against this petitioner and corroborative injury on the victim which could otherwise have been fatal, I am not inclined to enlarge the petitioner on bail and hence, his prayer for bail is rejected.

(Arun Kumar Jha, J)

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