

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.63995 of 2024**

Arising Out of PS. Case No.-284 Year-2023 Thana- ITARHI District- Buxar

Nitish Kumar @ Bam Singh S/o- Mukti Narayan Singh Vill- Baruna Ps- Itarhi  
Dist-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Radha Mohan Singh, Adv.

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      27-09-2024                      Heard Mr. Radha Mohan Singh, learned counsel for  
the petitioner and learned APP for the State.

2. The petitioner is in judicial custody in connection with Itarhi P.S. Case No.284 of 2023 for the offences punishable under Sections 341, 323, 504, 506, 307/34 of the Indian Penal Code and Section 27 of the Arms Act lodged on 27.12.2023 by the informant, Om Prakash Singh.

3. As per the prosecution story, the informant alleged that due to longstanding dispute of drainage between the parties, firstly, the accused persons came and abused and allegation against this petitioner is opening fire causing injury to the father of the informant. He was taken to the Sadar Hospital, Buxar and then was referred to Banaras. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he



does not have criminal antecedent and has remained in custody for four months, admittedly, there is land dispute.

5. Learned APP, on the other hand, has taken this Court to the learned Sessions Judge’s order to show that not once, the petitioner opened fire thrice and all hit the informant’s father.

6. It is not the simple case of once opening fire, the petitioner knowingly and repeatedly pumped bullets in the legs of the informant’s father. In that background, for the present, this Court is not inclined to extend any relief to the petitioner.

7. Accordingly, the petition stands rejected.

**(Rajiv Roy, J)**

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