

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66000 of 2023

Arising Out of PS. Case No.-18 Year-2023 Thana- SIGAUDI District- Patna

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BHARAT PASWAN SON OF UMESH PASWAN RESIDENT OF
VILLAGE- BELA TARIPAR, PS- SIGORI, DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh, Adv.

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 08-01-2024 Heard learned counsel for the petitioner, learned A.P.P.
for the State.

2. The petitioner seeks bail in connection with Sigori
P.S. Case No. 18 of 2023 registered for the offences punishable
under Section 307 of the Indian Penal Code and Section 25(9) and
27 of the Arms Act.

3. As per prosecution case, there is allegation that
informant sustained gun shot injury in the right thigh from
unknown person and his treatment was going on in AIIMS
Hospital, Patna. The informant did not identify anyone due to
darkness, and hence, F.I.R. was lodged against unknown.

4. Learned counsel for the petitioner submits that
petitioner is not named in F.I.R. The name of the petitioner has



been surfaced during the course of the investigation that he is the person who has fired from his pistol which hit the right thigh of the informant. He further submits that during the course of investigation, it has been found that petitioner has neither intention nor motive to fire against the informant rather during the course of small scuffle firing has been taken place incidentally. Petitioner is in custody since 28.05.2023 and bears criminal antecedent of one case.

5. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner by submitting that witnesses, namely, Chandramukhi Devi and Arti Devi, as mentioned in para 5 and 8 of the case diary respectively, have made their statements during the course of the investigation that petitioner has fired from his pistol which hit the right thigh of the informant and the same is corroborated by the injury report of informant.

6. Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with injury report as well as material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

7. However, the learned trial court is directed to conclude the trial, preferably within six months, from the date of receipt/production of copy of this order to the court concerned. If



the trial is not concluded within the stipulated period, petitioner
may renew his prayer for bail.

(Alok Kumar Pandey, J)

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