

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69675 of 2023

Arising Out of PS. Case No.-85 Year-2023 Thana- CHARPOKHARI District- Bhojpur

Bishnu Ray @ Bishnu Pandey S/O Sudarshan Ray Village- Nurbhay Dihra @
Nirbhe Dihra, Ps. Sikarhatta In The Dist. Of Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in a case
instituted for the offence under Sections, 323, 325, 341, 307,
379, 504, 147, 148, 149 of the Indian Penal Code and Section 27
of the Arms Act.

3. As per allegation in the FIR, on order of accused
Golu Kumar Singh, accused Sanni Kumar Singh and Saurabh
pandey caught him and the petitioner fired upon him as a result
of which he received gunshot injury and fell down. On hearing
sound of gunshot, his informant's brother Om Prakash Pandey
and Bhuar Pandey reached there then accused Shushil Kumar
Singh and Golu Kumar assaulted to both by danda. On seeing
the gathering of villagers, accused persons fled away but two of



them, namely, Saurabh pandey and petitioner were arrested on spot.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to previous enmity. The present case is counter blast of Charpokhari P.S. Case No. 86 of 023 which was lodged by the brother of the petitioner against the members of informant side u/s 307 and other allied sections of the IPC. Members of both party have received injury. Petitioner is languishing in judicial custody since 17.5.2023.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that there is direct allegation of firing against the petitioner which hit Sushil Pandey causing three grievous injury. Injury report is in consonance with the prosecution story. During investigation, several witnesses supported the prosecution case. Apart from the above, petitioner is a habitual offender and he is having criminal antecedent of nine cases and almost are of like nature.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer



for bail stands rejected.

7. The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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