

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76744 of 2023

Arising Out of PS. Case No.-34 Year-2023 Thana- MAHUA District- Vaishali

Prince Kumar S/O Prahalad Mishra @ Prahlad Mishra Village- Gaddopur, Ps.
Mahua, Dist. Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 29-02-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Mahua P.S. Case no. 34
of 2023 registered under sections 307 and 34 of the Indian Penal
Code and section 27 of the Arms Act.

3. As per the prosecution case, the petitioner is said to
have resorted to indiscriminate firing with his pistol as a result
of which the informant sustained gun shot injuries.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely been implicated in the case. No such
occurrence as alleged has been taken place. It is for this reason
that there is no independent eyewitness although the occurrence
is said to have taken place in the day time in the market place.



The petitioner is in custody since 28.7.2023 and has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State who submits that as per the injury report of the informant he sustained gun shot injury in his abdomen as also on his left elbow.

6. In response it is submitted by learned counsel for the petitioner that only one injury on the left elbow has been found to be grievous in nature.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R of having resorted to indiscriminate firing on the informant together with the injury report supporting the allegations levelled according to which the informant has sustained gun shot injuries in his abdomen as also on his left elbow, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

Harsh/-

U		T	
---	--	---	--

