

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6698 of 2025

Arising Out of PS. Case No.-479 Year-2024 Thana- DANAPUR District- Patna

Irfan @ Batkhara S/O Ramjani R/o Imlital, PS- Danapur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sameer Kumar, Adv.
For the Opposite Party/s	:	Mr. Meena Singh, APP
For the Informant	:	Mr. Ravi Kant Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 06-05-2025 Heard learned counsel for the petitioner and learned APP for the State as also learned counsel for the Informant. Perused the case diary.

2. The petitioner seeks bail in connection with Danapur P.S. Case No. 479 of 2024 instituted for the offences under Sections 307/120(b)/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the accusation against the accused persons including the petitioner is of firing upon the Informant's brother due to which he sustained fire-arm injury on his left hand and in the left abdomen respectively.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The name of the petitioner has surfaced in this case on the basis of the confessional statement of the co-accused Shahjaad who is not named in the F.I.R. and except confessional statement, there is nothing against the petitioner. No Test Identification Parade has been conducted in this case by the prosecution. The petitioner has no concern with the alleged occurrence. The petitioner has been remanded in this case and is languishing in judicial custody since 01.08.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that there is direct allegation of firing against the petitioner. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner for offence under Sections 307, 120(B) read with 34 of the I.P.C. and Section 27 of the Arms Act. The police has also recovered four empty cartridges from the place of occurrence. The injury report also supports the prosecution case.

6. Having heard learned counsel for the parties and considering the nature and gravity of the offence as also there



being direct allegation of firing against the petitioner, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected.

(Rudra Prakash Mishra, J)

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