

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75247 of 2024

Arising Out of PS. Case No.-370 Year-2023 Thana- BACHHWARA District- Begusarai

Nitish Kumar, male, aged about 23 years, son of Kari Yadav @ Kari Rai @ Ramjinish Ray, resident of village- Bautuapar, Panchayat Bikhamchak, P.S.- Bachhwara, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 18-01-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Bachhwara PS Case No.370 of 2023 dated 17.11.2023, instituted for the offence punishable under Sections 307, 504/34 of the Indian Penal Code.

3. The allegation against the petitioner is that he fired on the son of the informant twice with intention to kill him. The son of the informant received multiple firearm injury on his person.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is also submitted that the informant is not an eye witness



to the occurrence. There is land dispute between the parties. Further submission is that the FIR has been lodged after 24 hours of the occurrence. The petitioner is in custody since 01.06.2024 and he has one criminal antecedent.

5. Learned APP has opposed the prayer for bail. Learned APP submits that there is specific allegation against the petitioner that he fired on the son of the informant, who received multiple gun shot injuries. During investigation, the injured has been examined and he specifically stated that the petitioner has fired twice; the first shot hit the right side of his neck and the second shot hit his left hand near elbow. The injury report which is available in the case diary reveals that the injured received two gun shots; one on lower jaw and right side of the neck, and another on left forearm.

6. Since there is direct allegation against the petitioner of causing firearm injuries to the injured and the injury report supports the allegation, I am not inclined to grant bail to the petitioner.

7. Prayer of the petitioner for bail is rejected.

8. The application stands dismissed.

(Khatim Reza, J)

J. Alam/-

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