

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82487 of 2024

Arising Out of PS. Case No.-32 Year-2023 Thana- VAISHALI District- Vaishali

Nand Kishore Singh S/O Mahendra Singh Resident of Village- Husenaraghav,
P.S- Vaishali, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Niranjan Parihar, Adv.
For the Opposite Party/s	:	Mr.Narendra Kumar Singh, APP
For the Informant	:	Mr. Raj Kumar, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 19-02-2025 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 S.T. No.
233 of 2023 arising out of Vaishali P.S. Case No. 32 of 2023
instituted for the offences under Sections 307/120(B) of the
Indian Penal Code and Section 25(1-b)a, 26 and 27 of the Arms
Act.

3. This is the second attempt of the petitioner with a
prayer for bail. The petitioner has earlier moved before this
Court with a prayer for regular bail which was rejected vide
order dated 08.02.2024 passed in Cr. Misc. No. 42578 of 2023.

4. As per prosecution case, the accusation against the



petitioner is of firing upon the Informant's father which passed through his chest due to which he sustained fire-shot injury. Thereafter, the injured was rushed to hospital for his treatment.

5. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case with false and frivolous allegations. The petitioner has not committed any offence as alleged in the F.I.R. The medical report does not support the prosecution case as the doctor has not found any bullet from his body. The doctor has also not performed any surgery over the body of the injured which creates doubt in the prosecution case. The petitioner has one criminal antecedent in which he is on bail and is languishing in judicial custody since 31.01.2023 without any rhymes or reason. Charge-sheet has been submitted in this case against the petitioner under Section 307 of the Indian Penal Code and Section 25(1-b)a, 26 and 27 of the Arms Act.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. The petitioner is named in the F.I.R. and, hence, he does not deserve bail. Charge-sheet has been submitted against the petitioner.



7. Learned counsel for the Informant submits that all the witnesses have been examined including the official witnesses and the case is fixed for final hearing.

8. Having heard learned counsel for the parties and considering the nature and gravity of the offence as also there being specific and direct allegation of firing against the petitioner, this Court is not inclined to grant bail to the petitioner at this advance stage of trial.

9. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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