

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40248 of 2015

Arising Out of PS.Case No. -78 Year- 2014 Thana -BAKHTIYARPUR District- PATNA

Sudil Yadav @ Sudhir Kumar, Son of Nande Singh, resident of village -
Laxmanpur, P.S. Bakhtiarpur, Distt. - Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE V.N. SINHA
ORAL ORDER

2 07-10-2015 Heard learned counsel for the petitioner and the
State.

Petitioner is apprehending his arrest in connection
with a case registered for the offences under Section 307/34 and
other allied Sections of the Penal Code and 27 of the Arms Act.
He is named in the First Information Report as Accused No. 2 and
overt act of causing injury by firearm to the informant is attributed
to him.

Learned counsel for the petitioner however,
submits that the present case has been lodged only by way of
defence to the earlier case filed by the petitioner and in retaliation
to the allegations made in the said case. Although the informant of
the present case has not suffered any firearm injury, which can be

established from perusal of his injury report, but certified copy of the same having not been obtained by the petitioner, this Court may call for the case diary to verify the same.

Instead of calling for the case diary, I direct the petitioner to surrender in the court below within a period of four weeks from the date of receipt/ production of a copy of this order in the court below and ask the court below to call for the case diary, original injury report and verify from the diary as to whether informant of the present case has suffered any firearm injury as alleged in the First Information Report. Necessary verification be made by the court below within a period of two weeks from the date of receipt/ production of a copy of this order and until then no coercive steps be taken against the petitioner in connection with Bakhtiarpur P.S. Case No. 78/14. In the event, injuries, as alleged, are not found on the person of the informant in the injury report, the court below shall grant the petitioner regular bail, otherwise deal with the matter in accordance with law.

This petition is, accordingly, disposed of.

(V.N. Sinha, J)

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