

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10208 of 2016

Arising Out of PS.Case No. -265 Year- 2014 Thana -GOGRI District- KHAGARIA

1. Arun Yadav Son of Ajay Yadav, Resident of Village - Goraiya Bathan,
P.S. - Gogri, District - Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Kishor Poddar

For the Opposite Party/s : Mr. P.K. Jha (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

4 26-04-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in connection with Gogri P.
S. Case No. 265/2014 registered for the offences under Sections
147, 148, 149, 324, 307 and 504 of the I.P.C. and Section 27 of the
Arms act.

Allegedly, the petitioner and co-accused persons,
namely, Ajay Yadav and Sudan Yadav opened fire upon Pramod
Yadav, which hit Nitish Kumar, the brother of the informant who
became seriously injured.

Submission is of false implication due to the previous
enmity, During investigation, witness Rita Devi has not named the

petitioner and the opinion regarding injury has been kept reserved, the petitioner is suffering in custody since 20.01.2016 and as such he deserves sympathetic consideration to which the learned A.P.P. seriously opposes by submitting that 4 punctured wound on forehead about 5 m. m. diameter and punctured wound on lower lip were found on the person of the injured Nitish Kumar, which all are caused by fire-arm. Further Nitish Kumar in his statement has stated that the name of the petitioner specifically that he shot him vide para-36 of the case diary and the petitioner has got criminal antecedents.

Considering the allegation attributed against the petitioner serious in nature, at present I am not inclined to grant the privilege of bail to the petitioner, accordingly, such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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