

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13589 of 2016

Arising Out of PS.Case No. -171 Year- 2015 Thana -GOGRI District- KHAGARIA

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Lalit Yadav S/o Late Kamli Yadav, Resident of Village- Goraiya Bathan,
PS Gogri, District Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pawan Kumar Singh, Advocate.

For the Opposite Party : Mr. Umeshanand Pandit(APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 10-05-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Gogri
P.S. Case No. 171 of 2015 (G.R. No. 1276 of 2015) registered for
the offences punishable under Sections 147, 148, 149, 324, 307 of
the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, the petitioner and other F.I.R. named
accused persons being armed with rifle and threerifles were
standing and when the informant raised alarm, co-accused
Parmanand Yadav and the petitioner opened fire, resulting the
informant fell down and thereafter the accused persons fled away.
The informant received firearm injury.

Submission is of false implication and that there is

allegation against the petitioner and co-accused for opening fire but only one injury has been found on the person of the informant, fardbeyan has been recorded on 17.05.2015 at 9.30 P.M. in Referral Hospital, Gogri, whereas the informant was examined on 17.05.2015 at 9.25 P.M. itself, and it makes the case doubtful, the petitioner is in custody since 08.02.2016 and as such he deserves sympathetic consideration to which the learned A.P.P. opposes the prayer of bail by submitting that the informant has received firearm injury and bullet has been removed from his abdomen.

In the facts and circumstances stated above, considering that firearm injury has been found on the person of the informant and further bullet has been removed from his abdomen and as such I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected.

However, the petitioner may renew his prayer for bail after remaining six months in custody

(Jitendra Mohan Sharma, J.)

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