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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9166 of 2016

Arising Out of PS.Case No. -92 Year- 2015 Thana -BHAGWANGANJ District- PATNA

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Bidya Yadav Son of Late Akalu Yadav resident of village - Rauniya Chak, P.S. Bhagwanganj, District - Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Upendra Kumar
For the Opposite Party/s : Mr. Dashrath Mehta (APP)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 19-04-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is accused in connection with Bhagwanganj P.S. Case No. 92 of 2015 registered under sections 341, 323, 307, 504, 506 of the I.P.C. and 27 of the Arms Act pending in the Court of Judicial Magistrate, 1st Class, Masaurhi, Patna.

The accusation is that 11 persons named in the F.I.R. including petitioner on 16.12.2015 surrounded to Udeshwar Yadav near the house of Mahendra Yadav. At that time, this petitioner and one Ramswaroop Yadav shot fired at his chest.

Learned counsel appearing on behalf of the petitioner submits that in fact, occurrence took place due to land dispute in

which the petitioner and his family member sustained injury regarding which on the basis of written report of petitioner, Bhagwanganj P.S. Case No. 93 of 2015 is instituted under sections 341, 347, 323/34 of the I.P.C. 27 of the Arms Act.

The learned A.P.P. opposed the prayer of bail of the petitioner with submission that it would appear form annexure-3, injury report of injured, Udeshwar Yadav that two injuries were found lacerated in nature, while opinion is kept reserve, whereas the injuries sustained by the petitioner is of simple in nature caused by hard and blunt substance.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, prayer of the petitioner for bail is rejected.

(Rajendra Kumar Mishra, J)

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