

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22692 of 2016

Arising Out of PS.Case No. -148 Year- 2009 Thana -BELAGANJ District- GAYA

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Amirak Yadav, son of late Hazari Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Smt.Suman Kumari Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-05-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147/148/149/341/323/307/302 of the Indian Penal Code and 27 of the Arms Act.

Prosecution case is that co-accused Guna Paswan, Ravindra Yadav, Ramdahin Yadav, Sanjay Yadav, Bambam Yadav, Teniya Yadav and the petitioner Amirak Yadav caught hold the husband of the informant and started assaulting him when the petitioner caused fire arm injury to the husband of the informant.

It is submitted by learned counsel for the petitioner that on conclusion of investigation, the petitioner was not sent

up for trial but differing with the final form, the cognizance has been taken.

Considering the fact that the case was registered in 2009 with specific accusation of causing fire arm injury by the petitioner and the present anticipatory bail application has been preferred in 2016, this Court is not inclined to enlarge the petitioner on bail but keeping in view of the fact that the petitioner has not been sent up for trial on conclusion of investigation, it is a case for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Belaganj P.S. Case No.148/2009, pending before the learned 3rd ACJM, Gaya.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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