

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46719 of 2016

Arising Out of PS.Case No. -562 Year- 2016 Thana -SAHARSA District- SAHARSA

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1. Ajay Yadav @ Ajay Kumar son of Late Ram Pravesh Yadav resident of
Village- Kanjari, P.s.- Beldaur, Distt- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Randhir Kumar No-1

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 02-12-2016

Heard both sides.

The petitioner apprehends his arrest in Saharsa Sadar
P.S. Case No. 562/2016, registered for the offences punishable
under Sections 307 and 34 of the Indian Penal Code and 27 of the
Arms Act.

The informant made statement in ICU room that on
01.07.2016 he had come on the occasion of marriage of his niece
Shanta Kumari, daughter of Badri Yadav, r/o Refugee Colony,
Kahra. Ajay Yadav and others came in Barat and they started
protesting that the marriage would not be solemnized. The
informant objected. On such, Ajay Yadav fired from the pistol
which hit on the back of the informant and the pellets came out
passing through the abdomen.



Sri Vivekanand Singh, learned counsel for the petitioner submits that there was accidental firing. The marriage has been solemnized.

Considering the facts aforesaid and the fact that there is direct allegation that the petitioner fired which hit the informant on his back, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders before the court below within four weeks from the date of receipt/production of a copy of this order and prays for regular bail, his prayer shall be considered on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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