

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52997 of 2016

Arising Out of PS.Case No. -656 Year- 2016 Thana -SAHARSA District- SAHARSA

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Hareram Yadav, S/o Lalo Yadav, Resident of Village- Kabira, P.S.-
Salkhua, District- Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rakesh Singh, Advocate
Mr. Bhaskar Shankar, Advocate
For the Opposite Party : Mr. Rajballabh Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-01-2017 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in a case instituted for the
offence under Sections 307, 326, 504, 341/34 of the Indian Penal
Code and Section 27 of Arms Act.

There is allegation against this petitioner that he
fired from pistol on order of one Mithilesh Paswan which hit on
the face of the informant. Thereafter Vinod Yadav fired which hit
on the back of informant, causing injury in jaw of the informant
and he sustained serious injury.

The counsel for the petitioner has submitted that he
was admitted in Maa Tara Hospital situated at Kankarbagh, Patna
from 28.07.2016 and was discharged on 05.08.2016.



Learned A.P.P. submitted that police did not find any material in the case diary to support the same. He has further submitted that there is injury report in para-48 of the case diary, which supports the allegation that the informant has sustained grievous injury in the jaw by firearm.

Learned Additional Sessions Judge-1st., Saharsa in the impugned order has stated that witnesses have supported the case. A plea of alibi can be taken by the petitioner at the time of trial. In such manner, I am not inclined to enlarge the petitioner on bail.

Accordingly, prayer for bail of the petitioner is hereby rejected in connection with Saharsa Sadar P.S. Case No. 656 of 2016, pending in the court of learned Chief Judicial Magistrate, Saharsa.

(Sanjay Priya, J.)

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