

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2586 of 2017

Arising Out of PS.Case No. -53 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

=====

Gopal Krishna Yadav S/o Late Mahesh Prasad Yadav R/o-Narayanpur P.S.-
Kahalgaon District-Bhagalpur.... Petitioner

Versus

The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Dinesh Kumar Gupta

For the Opposite Party/s : Mr. Smt. Reena Sinha

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 03-03-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Kahalgaon
P.S. Case No. 53 of 2016 registered for the offences punishable
under Sections 302/34 of the Indian Penal Code and Section 27 of
the Arms Act.

Allegedly, the petitioner shot Sanjeev Kumar Yadav, the
brother of the informant, resulting the brother of the informant
received injury in his left arm and chest and fell down, he was
brought to Kahalgaon Sub-Divisional Hospital where the doctor
declared him dead.

Submission is of false implication and that the informant
is not an eye witness, the prosecution story is not corroborated by
the medical evidence as in post mortem report two firearm injuries
have been found whereas there is allegation of only one firing,



there is no other eye witness of the occurrence and other witnesses are hearsay and as such the petitioner deserves sympathetic consideration.

Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that the petitioner has fired upon left arm and chest of the deceased.

In the facts and circumstances stated above, considering that the petitioner is the assailant, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--

