

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4420 of 2017

Arising Out of PS.Case No. -90 Year- 2016 Thana -KASIMBAZAR District- MUNGER

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1. Rahul Yadav, son of Yogendra Yadav @ Ygendra Pd. Yadav, resident
of Sandalpur, P.S. Kasim Bazar, District- Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Awadesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 10-04-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Kasim Bazar
P.S. Case No.90 of 2016 instituted for the offence under
Section(s) 324, 307/34 Indian Penal Code and Section 27 of the
Arms Act pending in the Court of the Chief Judicial Magistrate,
Munger.

There is allegation in the *fard-e-bayan* that this
petitioner fired causing fire arm injury on shoulder of the
informant. It is also alleged that one Yogendra Yadav also fired
causing fire arm injury in the right armpit of the informant.

The doctor has found fire arm injury on the upper arm
of the informant as mentioned in the Injury Report but the doctor
has opined the fire arm injury to be simple in nature.



In this manner, there is specific allegation against this petitioner of causing fire arm injury on the shoulder of the Informant.

In the facts and circumstances of the case, this Court does not find it a fit case for grant of anticipatory bail.

Prayer is rejected.

The petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed of on its own merit without being prejudiced by this order.

The Civil Surgeon, Munger is directed to take appropriate action against the Doctor concerned, who has opined fire arm injury to be simple in nature and report this Court about the action taken against the Doctor concerned.

(Sanjay Priya, J)

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