

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36986 of 2018

Arising Out of PS.Case No. -203 Year- 2017 Thana -HASANPUR District- SAMASTIPUR

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Neeraj Yadav S/o Dev @ Deo Narayan Ray @ Bhikho Ray, R/o village-
Paridah, P.S.- Hasanpur, Distt.- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Adv.

For the Opposite Party/s : Md. Ansarul Haque, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 24-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Hasanpur
Police Station Case No. 203 of 2017 registered for offences
punishable under sections 307, 323, 324, 341, 504, 506/34 of the
Indian Penal Code and section 27 of the Arms Act.

As per FIR, this petitioner and five others variously
armed with lethal weapons came at the place of occurrence and on
the order of co-accused Dev Narayan Rai @ Kirto Rai, this
petitioner shot three-four fire causing injury in the left rib cage of
cousin (brother) of informant. Another co-accused shot fire
causing injury in his left hand. When the informant wanted to
rescue his cousin, Dev Narayan Rai shot fire causing injury in his



right leg. The victim is still senseless and his treatment is going on.

It has been submitted that both the parties are at inimical term since last several years. The father of the petitioner had lodged Hasanpur P.S. Case Nos. 19 of 2003 against the injured Nandan Yadav and his family members. The petitioner's family member lodged counter case bearing Complaint Case No.944 of 2017. The injury report on record relied upon, has been procured from a Private Nursing Home. The petitioner is in custody since 15.03.2018.

The learned Additional Public Prosecutor on the other hand opposed the submission.

On perusal of FIR it appears that this petitioner is the main accused who caused firearm injury on the person of injured Nandan Yadav. The injury report attached with this application shows that the injured sustained three firearm injuries. Out of them, two are wound of entry and one is wound of exit caused at left side of chest and on back of left forearm. The second injury is alleged to have been caused by another accused. In course of investigation, the witnesses have supported the allegation of causing firearm injuries by this petitioner. The police have recovered three empty cartridges from the place of occurrence.



Besides that the petitioner has one more case as mentioned in paragraph 3 of this application.

Considering the grievous injury caused by this petitioner, I am not inclined to grant him bail. His bail prayer stands rejected.

(Sanjay Kumar, J)

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