

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74340 of 2018

Arising Out of PS. Case No.-246 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

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Sitara Yadav @ Lallan Yadav Son of Late Tulsi Yadav, at Present resident of
Katurwa, P.S. Town, District-Aurangabad, Permanent Resident of Village-
Jangi Bigha, P.S. Narari Kala Khurd, District-Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Sri Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 22-02-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Town P.S. Case No.
246/2018, instituted for offences under Section(s) 341, 504, 447,
323, 307 and 506/34 of the Indian Penal Code read with Section
27 of Arms Act.

It is alleged in the *Fardbeyan* that informant has
constructed house after purchasing land. The house of this
petitioner is towards West of her house. For the last two months,
petitioner always threw stone on her house, which was protested
by her husband as well as by the informant. It is alleged that on
24.08.2018 at about 8:00 P.M., there was brick batting from the
side of petitioner. The informant informed her husband about



the same. Husband of informant raised objection then this petitioner along with his two sons armed with firearms came to her house and started assaulting the husband of informant and other family members. The petitioner along with his sons made firing on account of which informant sustained firearm injury on her buttock.

Case diary along with injury report has been received.

Learned counsel for the petitioner has submitted that there is no specific allegation of firing against the petitioner. One firearm injury has been sustained by the informant.

Learned Addl. P.P. has submitted that there is specific allegation in the written report that this petitioner along with his two sons armed with firearms arrived and made firing causing injury to the informant in her buttock. Doctor has found one injury on the right buttock of informant, which is opined to be dangerous to life.

Injury report is available in case diary wherein doctor has found close firearm injury entry wound with black margin at right buttock 3"x1 1/2" till bone depth. The injury is opined to be serious to life. Informant and other witnesses have taken the name of this petitioner in their statement before the police for causing firearm injury to her.



Considering the aforesaid facts and circumstances, this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, prayer of the petitioner for grant of bail is rejected.

The trial court is directed to expedite the trial and conclude the same as early as possible.

Petitioner is given liberty to renew prayer for bail after six months in the event no substantive progress is made in trial.

(Sanjay Priya, J)

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