

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48234 of 2019

Arising Out of PS. Case No.-43 Year-2019 Thana- SIKANDRA District- Jamui

NARAIN YADAV Son of Yamuna Yadav Resident of Itasagar, P.S.-
Sikandara, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 04-12-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner seeks bail in connection with
Sikandra P.S. Case No. 43 of 2019, registered under Sections
147, 148, 149, 307, 504 and 506 of Indian Penal Code and
Section 27 of the Arms Act, pending in the Court of J.M. 1st
Class, Jamui.

The accusation is that in course of submersion of
idol Saraswati, occurrence of Marpit took place in between
community of Rajput and Yadav regarding which the case was
lodged on 14.02.2019. In the evening, the informant went to
the Kali temple for worshipping, at that time, six persons named
in the F.I.R., including the petitioner, started to abuse outside
the temple to the informant and others, when informant made



protest then Sahdeo Yadav started to abuse and asked to kill, thereupon, petitioner fired at him causing injury at his chest. Thereafter, he was rushed for treatment at Sadar Hospital, Jamui, from where he was referred to PMCH, Patna for better treatment.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that there was dispute regarding submerging of idol Saraswati in which informant sustained chest injury, which is said to be caused to the informant is grievous in nature, but harmony has been developed between the informant and petitioner and injured has filed compromise petition in the trial Court. Further submission is that petitioner is in custody since 23.02.2019. Further submission is that in the alleged occurrence, the petitioner's side also sustained injury.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer of the petitioner, above named, is rejected. However, petitioner is at liberty to renew his prayer for bail after six months, if the trial of the petitioner is not concluded within the aforesaid period.

(Rajendra Kumar Mishra, J)

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