

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20852 of 2020

Arising Out of PS. Case No.-1037 Year-2019 Thana- MADHEPURA District- Madhepura

Fulo Yadav @ Pulendra Yadav, Son of Late Gonar Yadav, Resident of Village
- Mahua, P.S. - Madhepura (Ghailarh), District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Smt. Sanjita Sharma, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 26-08-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Madhepura (Ghailarh) P.S. Case No.1037 of 2019 instituted for the offence punishable under Sections 307, 34 of the Indian Penal Code and Section 27 of the Arms Act, which is pending in the court of learned Chief Judicial Magistrate, Madhepura.



The informant, as per the prosecution case, has received gun-shot injury on his thigh. The gun-shot injury is attributed to the petitioner.

Petitioner's counsel submits that the allegation is of only one shot being fired by the petitioner. The injury report shows that the injury sustained is simple. The firearm has not been recovered from the petitioner. The petitioner is in custody since 08.02.2020 and charge-sheet has been submitted. It is stated in the petition that the petitioner bears no criminal antecedents.

Drawing attention of the Court towards the injury report, received in the case diary, it is submitted by the learned APP appearing for the State that from perusal of the same, it is apparent that the victim has sustained a firearm injury and opinion of the Doctor is of (danger to life).

Considering the allegations and submissions advanced by the parties, this Court is not inclined to allow the petitioner's prayer for bail for the present. The same is rejected.

(Madhuresh Prasad, J)

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