

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24322 of 2020

Arising Out of PS. Case No.-39 Year-2020 Thana- DUMRAO District- Buxar

Chunnu Yadav S/O Shubhash Yadav Resident Of Pratap Sagar, P.O.-Dumrao,
P.S.-Dumrao (New Bhojpur), District-Buxar

... .. Petitioner

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioner	:	Mr.Mrigendra Kumar Singh, Advocate Mr. Mohit Raj, Advocate Mr. Shantanu Kumar, Advocate
For The Opp.Party	:	Mr. Siddharth Harsh, Advocate Mr. Gopal Swaroop Dubey, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-11-2020 Heard learned counsel for the petitioner and the State through Video Conferencing.

The petitioner seeks bail in a case registered for the offence punishable under sections 307/34 and other ancillary sections of the Indian Penal Code as well as section 27 of the Arms Act.

Prosecution's case, in brief, is that the petitioner and his accomplice Kanhaiya Yadav @ Golu Yadav, both named in the FIR, had taken some money from the informant and when he demanded the said money, they came to his shop on 4.2.2020 at about 10 am and started indiscriminate firing as a result of which informant's brother sustained fire arms injury in his left leg knee. Incidentally, when informant caught Kanhaiya Yadav, the petitioner went at some distance and opened fire upon him causing bullet injury in the right leg knee. Accused persons fled away brandishing their fire arms.

Learned counsel for the petitioner submits that the



petitioner is the co-village of the informant and in fact informant was engaged in trade of illegal liquor which was objected by the petitioner as a result of which instant false case has been filed. Besides this, all the sections are bailable except section 307 Indian Penal Code which has been added to make the case non-bailable. Petitioner has got no criminal antecedent and he is in custody since 22.2.2020.

Learned counsel for the State as well as the informant oppose the prayer for bail. They submit that there is direct allegation against the petitioner and his accomplice of making indiscriminate firing causing fire arms injuries to the informant and his brother which fact is supported by the injury report.

In the facts of the case as also in view of nature of allegation, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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