

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73221 of 2019

Arising Out of PS. Case No.-23 Year-2013 Thana- PARBATTa District- Khagaria

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TUN-TUN YADAV Son of Bilas Yadav Resident of Village - Bharatkhand
Yadubans Nagar Tola, P.S.- Parbatta, District – Khagaria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh
For the Opposite Party/s : Mr.Md. Matloob Rab

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 06-03-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Sessions Case No.107A of 2015, arising out of Parbatta P.S.
Case No.23 of 2013, registered under Sections 341, 323, 504,
384 and 307/34 of the Indian Penal Code besides Section 27 of
the Arms Act, pending in the court of the Assistant Sessions
Judge-II, Khagaria.

The accusation is that in the evening of 28.01.2013,
the informant Kailash Chaudhary was irrigating his field. At
that time, Tun-Tun Yadav (petitioner) and Mato Yadav came
there and while abusing, they asked the informant that they
would not permit him to irrigate the field. On protest, the



petitioner took out the pistol from his waist and fired at the informant causing injury on the left shoulder of the informant. While the informant tried to flee away from there but the petitioner again fired at him, which hit at the right side of his belly, due to which the informant fell down and, thereafter, the petitioner and Mato Yadav fled away.

Learned counsel appearing on behalf of the petitioner submits that while the allegation has been made against the petitioner to shot fire at the informant twice causing injury on his left shoulder and belly but only two abrasions caused by hard and blunt substance were found on the person of the informant. Further submission is that while on investigation, the charge-sheet has been submitted by the Investigation officer but the opinion of the doctor regarding the nature of the informant is not detailed in the case diary. Further submission is that the petitioner is accused in five other cases, as detailed in paragraph-3 to this application. The petitioner is in custody since 06.03.2019.

Having regard to the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant bail to the petitioner. Accordingly, the prayer of the petitioner for grant of bail stands rejected.



However, the petitioner would be at liberty to renew his prayer
for bail after four months.

(Rajendra Kumar Mishra, J)

P.S./-

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