

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15785 of 2021**

Arising Out of PS. Case No.-356 Year-2017 Thana- DEEPNAGAR District- Nalanda

PAKAURI YADAV Son of Late Anil Yadav Resident of Village - Korai, P.S. -
Deepnagar, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 13-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 307 and other sections of the Indian Penal Code and section 27 of the Arms Act.

As per allegations in the FIR, the petitioner and one another fired on one Munna Mahto causing firearm injury. Other accused persons named in the FIR also fired on the informant and others.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. The petitioner has been falsely implicated in the case. While in the FIR accused persons namely Rajesh Kumar



and the petitioner are alleged to have fired on Munna Mahto, the said Munna Mahto in course of investigation has stated that only one person fired on him and because of lack of light, he could not identify his assailant. He is in custody since 4.11.2020 and charge sheet has been submitted in the case.

Heard learned APP for the State.

Heard learned counsel for the parties. The allegation against the petitioner and Rajesh Kumar in the FIR is of having fired on Munna Mahto who has sustained two gun shot injuries even as per the doctor who examined him. Further, for an offence said to have take place on 1.11.2017, the petitioner continued to abscond and was taken into custody only on 4.11.2020.

In view of the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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