

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33886 of 2021**

Arising Out of PS. Case No.-93 Year-2020 Thana- KASIMBAZAR District- Munger

GAURAV YADAV S/o Anik Yadav R/o Mohalla- Sandalpur, P.S.- Kasim
Bazar, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karuna Nath Sahay

For the Opposite Party/s : Mr.APP.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 02-12-2021 Heard learned counsel for the petitioner and

learned counsel for the State.

Petitioner seeks bail in connection Kasim Bazar P.S.

Case no. 93 of 2020 registered for the offence punishable
under sections 147, 148, 149, 323, 307 of the Indian Penal
Code read with sections 27 of the Arms Act.

Learned counsel for the petitioner submits that
petitioner is in custody since 29.06.2020 and charge sheet
has been submitted. Learned counsel for the petitioner
submits that from perusal of the allegation as alleged in the
FIR, it would manifest that the informant alleges that on the
order of Sarswati Devi this petitioner started firing and
other accused started assaulting the nephew of the



informant on his jaw and head as a result of which he became injured. Learned counsel further submits that petitioner has been falsely implicated in this case and from perusal of the allegation, it would manifest that only allegation against this petitioner is that he started firing but FIR is completely silent with respect to the fact as to whether any person has been injured or not. This itself shows that no one was injured in the firing.

Learned APP opposes the prayer for bail and submits that this petitioner has antecedent of 12 cases as mentioned in para 3 of bail petition, further from injury report of Dablu Sharma it would manifest that at Rajeshwar hospital bullet was removed from right angle of mandible wound and injured was referred to PMCH/IGIMS, Patna for further management.

Considering the facts that there is allegation of firing against this petitioner and victim Dablu Sharma was injured as would be evident from the injury report Annexure 2 at page 22 of the brief and nature of injury is grievous and petitioner has 12 antecedents, the court is not inclined to grant bail to the petitioner and accordingly, his prayer for



bail is rejected. However, petitioner will be at liberty to
renew his prayer for bail after framing of the charge.

(Satyavrat Verma, J)

s.hassan/-

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