

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36000 of 2020**

Arising Out of PS. Case No.-605 Year-2019 Thana- BARH District- Patna

RABO YADAV Son of UPENDRA YADAV Resident of Village - Puraybag,  
P.S.-Barh, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Ashok Kumar

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

4      16-03-2021                      Heard the learned counsel for the petitioner and  
Sri Ashok Kumar, the learned APP for the State.

The petitioner seeks regular bail in connection with Barh PS case no. 605 of 2019 instituted for the offences punishable under Sections 341, 323, 307, 504/34 of Indian Penal Code and 27 Arms Act.

The allegation is regarding altercation having taken place in between the accused persons including the petitioner and the informant as well as their family members, whereafter the petitioner is alleged to have fired gun shots from his pistol on the father of the informant resulting in him sustaining firearm injuries on his left thigh.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely



implicated in the present case and is languishing in custody since 13.06.2020. The learned counsel for the petitioner has further submitted that there is no motive to commit such offence, as far as the petitioner is concerned.

*Per contra*, the learned A.P.P. for the State has vehemently opposed the prayer for bail and has submitted that there is a direct allegation of firing gun shots on the petitioner and medical report also corroborates the same and indicates that one entry wound of gun shot has been found over the left groin.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also those available in the case diary, *prima facie* a case is definitely made out against the petitioner for the offences alleged and the injury report also corroborates the same, thus, I do not find the present case to be a fit case for grant of bail, accordingly the same stands dismissed.

**(Mohit Kumar Shah, J)**

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