

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37647 of 2020

Arising Out of PS. Case No.-474 Year-2019 Thana- KHAGARIA District- Khagaria

UDAY YADAV S/o Late Guletan Yadav @ Bhuletan Yadav Resident of
Village- Tartar Umesh Nagar, P.S.- Muffasil, District-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Adv.

For the Opposite Party/s : Mr.B.N.Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 09-02-2021 Heard both sides.

The petitioner seeks bail in Khagaria(Muffasil) P.S.

Case No.474 of 2019 registered under Sections 447, 307 and 34
of the Indian Penal Code and under Section 27 of the Arms Act.

The informant alleged that on 27.06.2019, there was
some verbal altercation between her son Ramprit Kumar and
Adhik Yadav, the son of the petitioner(Uday Yadav). Some
verbal exchanges were also made between the members of two
families but on 29.06.2019, again Dharmveer Yadav, Adhik
Yadav, Karmveer Yadav, Shanti Devi and Uday Yadav(the
petitioner) having armed with firearms came and made
indiscriminate firing. In the firing made by the petitioner, the
informant got injury on her leg and Adhik Yadav fired causing
injury on the right leg of Savitri Devi, the sister-in-law of the
informant.



The learned counsel for the petitioner submits that informant alleged that she was treated in Khagaria Sadar hospital but from perusal of the injury report, it would appear that informant and her sister-in-law were treated by a private doctor in Begusarai. The informant got injuries on her leg but the injuries are opined to be simple in nature. The sister-in-law of the informant got grievous injury and the author of the injury is Adhik Yadav. Petitioner is in jail since 23.05.2020 but it appears that petitioner has got criminal antecedent and this fact has not been mentioned in para 3 of the bail petition. There is specific allegation that petitioner made indiscriminate firing causing injury on the leg of the informant but since the fact with regard to criminal antecedent of the petitioner is concealed at the first instance while filing bail petition although this fact has been mentioned in the ordersheet itself, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The petitioner may renew his prayer for bail after remaining three months in custody from today.

(Prabhat Kumar Jha, J)

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