

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39564 of 2020

**Arising out of P.S. Case No. 135, year- 2020, Thana- Kasim Bazar
District Munger**

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Gulsan Yadav, Male, aged about 29 years, S/O Pramod Yadav R/O
Mohalla- Sandalpur P.S. Kasim Bazar, District Munger.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opp. Party/s

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Appearance :

For the Petitioner/s : Mr. Rashid Izhar, Adv.

For the Opp. Party/s : Ms. Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 03-06-2021

The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the parties.

The petitioner apprehends his arrest in connection with Kasim Bazar P.S. Case No. 135 of 2020 for the offence punishable under sections 147, 148, 149, 452, 307, 504, 506 of the Indian Penal Code and section 27 of the Arms Act.

The petitioner is alleged to have fired gunshot from his rifle the informant, resulting in him



sustaining firearm injury.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case. The learned counsel for the petitioner has further submitted that the petitioner is an Army officer and his neighbours are antisocial elements and they do not want to see the progress of the petitioner, hence they are always creating commotion, resulting in the alleged occurrence, nonetheless the fact remains that there had been no intention to kill the son of the informant inasmuch as there was no repetition of firing by the petitioner from his rifle.

Per contra, the learned APP appearing for the State, Ms. Gulnar Begum, has vehemently opposed the prayer of the petitioner for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the Ld. Counsel for the parties and taking into account the materials available on record as also considering the findings of the learned Sessions Judge, Munger, recorded in the impugned order dated 30.9.2020, this Court finds that there is direct allegation against the petitioner of firing gunshot from his rifle upon the son of the informant, res

staining grievous injury, hence I



do not find the present case to be a fit case for grant of anticipatory bail. Accordingly, the present petition stands dismissed.

(Mohit Kumar Shah, J)

Tiwary/-

