

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41029 of 2020

Arising Out of PS. Case No.-29 Year-2020 Thana- MADHEPURA District- Madhepura

Nitish Kumar son of Dinesh Yadav Resident of Village- Gadhia, Ward No. 01,
P.S.- Madhepura, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Adv.
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-03-2021 Heard learned counsel for the petitioner and
learned A.P.P for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Madhepura P.S. Case no. 29 of 2020 registered under sections 307, 341, 323, 379 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the F.I.R., the petitioner is stated to have fired on the informant causing fire arm injury.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case as both the informant and the accused belong to the same village and are on inimical terms. Further referring to the injury report it is submitted that the nature of the injury has been opined to be simple in nature and on non-vital part of body. The petitioner is



in custody since 1.7.2020.

The application for bail is opposed by learned A.P.P.
for the State.

Having heard learned counsel for the parties and in
view of the fact that the petitioner is stated to be the assailant
and the allegation in the F.I.R. is supported by the injury report,
the Court is not inclined to enlarge the petitioner on bail and the
same is rejected.

However, in the facts and circumstances of the case, if
so advised the petitioner may renew his prayer for bail after
completion of one year in custody.

(Partha Sarthy, J)

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