

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22202 of 2022

Arising Out of PS. Case No.-584 Year-2021 Thana- SAHARSA SADAR District- Saharsa

MITHU YADAV @ MITHILESH YADAV Son of Late Hari Yadav R/o vill.-
Rahuwamani, P.S.- Bangaon, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Saharsa P.S. Case No. 584 of 2021 registered for the offences
punishable under Sections 341, 323, 307, 504, 34 of the Indian
Penal Code and Section 27 of the Arms Act.

As per prosecution case, it is alleged that petitioner
made firing upon the informant which hit the leg and having
sustained firearm injury he fell down. It is further alleged that
petitioner again made firing upon Trilok Yadav as a result of
which he sustained firearm injury on his leg.

Learned counsel for the petitioner submits that



petitioner is in custody since 27.11.2021. Charge sheet has been submitted in the case and there is no likelihood of tampering the evidence. Petitioner is innocent and he has falsely been implicated in the present case due to local village politics.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner by submitting that petitioner made firing upon two persons who sustained firearm injury. He further submits that petitioner bears criminal antecedent of eight cases

Considering this aspect of the matter that there is direct allegation of firing against the petitioner upon two persons who sustained firearm injury, this court is not inclined to grant bail to the petitioner. Accordingly, his prayer for bail stands rejected.

However, the learned court below is directed to expedite the trial. If the trial is not concluded preferably within nine months, the petitioner may renew the prayer of bail.

(Alok Kumar Pandey, J)

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