

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26420 of 2022

Arising Out of PS. Case No.-226 Year-2020 Thana- ASHTHAWAN District- Nalanda

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GORELAL YADAV Son of Balak Yadav @ Ram Balak Yadav Resident of
Village - and P.O.- and P.s.- Asthawan, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dineshwar Prasad Singh

For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 01-09-2022 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

Asthawan P.S. Case No. 226 of 2020 registered for the offences

punishable under Sections 341, 323, 325, 307/34 of the Indian

Penal Code and section 27 of the Arms Act.

As per prosecution case, petitioner made

indiscriminate firing approx 15 round which hit the temple of

the informant's husband due to which he became unconscious

and fell down.

Learned counsel for the petitioner submits that

petitioner is in custody since 22.10.2021. Petitioner bears one



criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that there is a case and counter case between the parties and present case is counter blast of Asthawan P.S. Case No. 225 of 2020 lodged by the wife of the petitioner. It is further submitted that there is no independent witness of the alleged occurrence.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner as impugned order indicates that from perusal of para 16 and 48 of case diary it appears that the informant sustained gun shot injury and the injury is grievous in nature.

Considering the facts and circumstances of the case as well as accusation leveled against the petitioner is coupled with the injury report, I am not inclined to grant bail to the present petitioner. Accordingly, prayer for bail of the present petitioner is rejected.

However, learned court below is directed to conclude the trial within nine months from the date of receipt of this order.

(Alok Kumar Pandey, J)

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