

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36161 of 2021

Arising Out of PS. Case No.-276 Year-2020 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. BHARAT YADAV Son of Babulal Rai @ Babulal Ray Resident of Village -
Murdachak, P.S. - Piprakothi, District - East Champaran.
 2. Shatrudhan Yadav Son of Babulal Rai @ Babulal Ray Resident of Village -
Murdachak, P.S. - Piprakothi, District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Karandeep Kumar
For the Opposite Party/s	:	Mr. Nawal Kishore Prasad
For the Informant	:	Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-01-2022 Heard learned counsel for the petitioners, the State
and the informant.

Petitioners seek regular bail in a case registered for
the offence punishable under Section 307 and some other
ancillary Sections of the Indian Penal Code and u/s 27 of Arms
Act.

As per the prosecution case, when the informant along
with his cousin, Kedar Rai, were returning after attending a
marriage party, these two petitioners along with co-accused,
Nawal Yadav, riding on a Apache motor cycle, intercepted the
informant and on the order of Nawal Yadav, petitioner No.1
fired at cheek and neck of informant on account of which he fell
down after sustaining injuries. In the meanwhile, petitioner
No.2, fired at the stomach of Kedar Rai as a result of which he
also sustained injuries. It is alleged that due to land dispute



between the son-in-law of informant and the accused persons the occurrence took place.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case due to land dispute. During the course of investigation tower location of the mobile of the petitioners were found five kilometer away from the place of occurrence. Petitioners are in custody since 11.01.2021 and investigation in this case is complete.

Learned counsel appearing for the State and the informant opposed the prayer for bail and submitted that there is direct and specific allegation against these petitioners of firing upon the informant and his cousin Kedar Rai as a result of which both of them sustained grievous injuries.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioners on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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