

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 37547 of 2021

Arising Out of PS. Case No.-996 Year-2020 Thana- ARA NAWADA District- Bhojpur

1. MANISH YADAV @ MANISH KUMAR Son of Shashilal Resident of Village - Moti Tola Ara, P.s.- Ara Nagar, Distt.- Bhojpur.
2. Sonu Yadav @ Sonu Kumar Son of Late Baijnath Resident of Village - Mohalla - Pachrukhiya, Kala, P.s.- Koilwar (As Per F.I.R. Moh- Moti Tola, P.S.- Ara Nagar), Distt.- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Anil Kumar Singh, Advocate
For the Opposite Party/s : Ms Pushpa Sinha, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

9 **20-04-2022** Heard learned counsel for petitioner No 1 and learned Additional Public Prosecutor (for brevity, *APP*) appearing for the State of Bihar.

The petitioner seeks bail in Ara Nawada Police Station Case No 996 of 2020 instituted for the offence punishable under Sections 341, 342, 323, 307/34 of Indian Penal Code and Section 27 of Arms Act.

Learned counsel for the parties have assisted the Court with reference to the material in the case diary having regard to the allegation against petitioner No 1 of opening fire upon the informant along with co-accused Chandan Kumar.

Learned counsel for petitioner No 1 submits that



informant has in fact sustained only one firearm injury. Therefore, the allegation of opening fire by petitioner No 1 and co-accused Chandan Kumar is not corroborated.

Learned APP submits that one firearm injury has been sustained to a passerby on the leg. The informant has also sustained firearm injury on the chest and the specific allegation of causing firearm injury is attributed against petitioner No 1 and co-accused Chandan Kumar.

In view of the rival submissions and the material available in the case diary, this Court, having regard to the allegation of firing attributed to petitioner No 1, being corroborated in the investigation, is not inclined for the present to allow petitioner No 1 the privilege of bail.

Prayer for bail is again rejected.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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