

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41383 of 2021

Arising Out of PS. Case No.-399 Year-2020 Thana- FATUA District- Patna

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KOMAL YADAV Son of Bijendra Yadav Resident of Village- Singoriyama,
P.S.- Shahjehapur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

4 24-03-2022 Heard the parties.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Fatuha P.S. Case No. 399 of 2020 for the offence punishable
under Sections 341, 323, 324, 307 and 504 of the Indian Penal
Code.

Prosecution case in brief is that the brother-in-law of



the informant wanted to marry with her sister-in-law (nanad) and on her denial, the petitioner assaulted her with fire arm causing injury near the waist.

Learned counsel appearing on behalf of the petitioner submits that no such occurrence as alleged ever took place rather the petitioner is innocent and he has been falsely implicated in this case. The informant is not the eye witness of the occurrence and the injury report is still awaited. Petitioner is in custody since 14.06.2020. Hence he be released on bail.

Shri Ajit Kumar, learned APP has vehemently opposed the prayer for grant of bail to the petitioner. He submits that in Para-23 of the case diary, the victim Sugni Kumari has supported the allegation made in the F.I.R. that the petitioner had assaulted her with fire arm as a result of which she sustained injury in her waist and has also stated that she is not willing to marry with the petitioner.

Having heard the rival submission of the parties and specific allegation against the petitioner of assaulting the victim Sugni Kumari by means of fire arm, I am not inclined to enlarge the petitioner on bail at this stage.

Accordingly, the present bail application is rejected.

The trial court is directed to conclude the trial well



within a period of nine months.

(Purnendu Singh, J)

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