

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32059 of 2022

Arising Out of PS. Case No.-35 Year-2019 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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RAMVIR YADAV @ RAMVEER YADAV Son of Mr. Ramnandan Yadav
Resident of Village - Kabirpur, P.S. Sheikhopursarai, District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur
		Mr. Pravin Kumar
		Mrs. Vaishnavi Singh
		Mr. Shivam
For the Opposite Party/s :		Mr.Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 12-10-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in Sheikhopursarai P.S.Case No.
35 of 2019 registered for the offences punishable under section
307 and other allied sections of the Indian Penal Code and
section 27 of the Arms Act.

As per the allegation, petitioner fired at the son of the
informant as a result of which he became injured.

The main submissions advanced by learned counsel
Shri Ajay Kumar Thakur appearing for the petitioner are that the

petitioner has been languishing in jail since 22.10.2021 and he has been chargesheeted and at the time of submission of chargesheet no injury report of the so-called injured was submitted along with the chargesheet and the informant's son namely Shyam Sundar Kumar is stated to be the sole and main injured of the present case but he has not recorded his statement during the course of investigation till the submission of the chargesheet.

Shri Kalyan Shankar learned APP appearing for the State has opposed the prayer for bail.

Heard both the sides, perused the FIR, case diary and injury report of the son of the informant. As per the FIR the petitioner appears to be the main assailant in causing firearm injury to the informant's son though the final opinion with regard to the nature of the injury of the informant's son has not been given by P.M.C.H where the said injured was medically treated and in this regard it was advised by P.M.C.H to go to Sadar Hospital, Sheikhpura where the injured was initially treated. From perusal of the said injury report one thing is quite clear that the injured sustained injury at vital part of his body and the description of the injury described in the said injury report is corroborative to the allegation made against the

petitioner in the FIR and moreover, the petitioner is carrying specific allegation of having caused firearm injury to the informant’s son and the FIR also goes to show that the alleged occurrence was committed in a planned manner and the petitioner has got criminal antecedent of three cases which were lodged under Arms Act as well as the Indian Penal Code.

Considering these facts as well as nature of allegation appearing against the petitioner, he does not deserve to the privilege of bail, accordingly, his prayer for bail stands rejected.

(Shailendra Singh, J)

Hassan/maynaz/-

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