

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51466 of 2021

Arising Out of PS. Case No.-159 Year-2020 Thana- ROH District- Nawada

RAHUL KUMAR S/o Basant Yadav R/o village- Dhamoul, P.S.- Dhamoul,
District- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr. U. Pandit Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-06-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in registered for the offences punishable under Section 379 and other allied sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, this petitioner is order giver and on his instigation co-accused Yamuna Yadav fired upon the informant.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. It is also submitted that the informant did not sustain fire arm injury though burning injury was found on his body. It is stated in paragraph 3 of the bail petition that the petitioner has got clean antecedent.



Learned counsel for the State opposes the prayer for bail submitting that there is specific allegation against the petitioner that on his instigation co-accused Yamuna Yadav fired on the informant causing him burning injury.

Considering the specific allegation against the petitioner, his prayer for bail is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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