

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51741 of 2021**

Arising Out of PS. Case No.-23 Year-2021 Thana- SAHEBPUR KAMAL District- Begusarai

CHHOTE LAL RAJAK, Son of Dina Rajak, Resident of Village - Malhipur,
P.S.- Sahebpur Kamal, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 08-02-2022 Heard the learned counsel for the petitioner and the
learned APP for the State, through Video Conferencing.

The petitioner seeks bail in connection with S. Kamal P.S.
Case No. 23 of 2021, G.R. No. 395 of 2021, instituted for the
offences under Section 307/34 of the Indian Penal Code and Section
27 of the Arms Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 04.02.2021, he is a person with clean
antecedent, charge-sheet has been submitted.

The learned counsel for the petitioner submits that the
informant alleges that on 02.02.2021 at about 6:30 hours, the
informant received an information that Bedanand Yadav and Chote
Lal Rajak (petitioner) in Mauza Sabdalpur, Khata No.32 Khesra
No.314 were illegally erecting pillar on the land of the informant,
for which a proceeding under Section 144 Cr. P.C. was pending. It
is further alleged that the informant along with brother, Prakash



Singh, went to the place of occurrence and requested the accused person to desist for any construction on the land, accordingly, it is alleged that at the instant of Pandav Yadav, Bedanand Yadav opened fired with pistol which hit the informant on his chest and thereafter this petitioner also fired hitting him on the hip. The learned counsel for the petitioner submits that from the allegation, as alleged it would manifest that the petitioner has fired hitting on the non-vital part of the body.

The learned counsel for the State as well as informant vehemently opposes the bail application and submits that the land, in question, is the ancestral land of the informant and the petitioner along with named accused person were trying to grab the same for which cases are pending also. At this stage, the learned counsel for the petitioner seeks permission to withdraw the bail application.

Permission is accorded with liberty to the petitioner to renew his prayer for bail after framing of charge.

Accordingly, this bail application is dismissed with the aforesaid liberty.

(Satyavrat Verma, J)

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