

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42645 of 2022

Arising Out of PS. Case No.-45 Year-2019 Thana- GOGRI District- Khagaria

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Arun Yadav Son of Ajay Yadav, Resident of Village - Goraiya Bathan , P.s.-
Gogri, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Gogri P.S. Case No. 45 of 2019, lodged under Sections 307/34
of the Indian Penal Code read with Section 27 of Arms Act.

As per prosecution, the case has been filed with an
allegation that initially 7 persons have entered in the house of
informant and started indiscriminate firing, subsequently on the
next date again, 2 persons have made indiscriminate firing upon
the informant.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further

submits that the allegation against the present petitioner is that on the first day, he was there in firing against the informant party but all the allegations are general and omnibus, there is no allegation of act or overt act, subsequently in the event of second date the name of petitioner has not been figured in this case. Learned counsel for the petitioner further submits that petitioner is in custody since 19.04.2022, charge sheet has already been filed in this case and there are 7 criminal cases pending against the petitioner, in which he is on bail in 6 cases and in 1 case he is persuading for bail.

Learned counsel for the State opposes the prayer for bail and submits that petitioner is not a man of clean antecedent.

Upon specific query that whether charge has been framed in this case or not, learned counsel for the petitioner submits that charge has not been framed in this case.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present, therefore, his bail application is hereby **rejected**.

But petitioner shall be at liberty to renew his prayer for bail after framing of charge and the Trial Court is directed to release the petitioner after framing of charge, so that he may not

evade his appearance during trial.

(Dr. Anshuman, J.)

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