

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54931 of 2021

Arising Out of PS. Case No.-418 Year-2020 Thana- RAHUI District- Nalanda

SUBALI YADAV Son of Nawal Yadav Resident of Village - Dharm Singh
Bigha, P.S.- Sadar, Biharsharif, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 324, 307/34 of the Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation against the petitioner is of firing on the informant and injured his finger of the left hand.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in the present case on account of pendency of a title suit between the parties as stated in para 8 of the anticipatory bail application. It is next submitted that even presuming what has been alleged is



true without admitting the same then the injury is not on the vital part of the body and must be a simple in nature.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that there is a direct allegation of firing against the petitioner and further when anticipatory bail of Nawal Yadav was argued, who was granted anticipatory bail by order dated 21.06.2022 in Cr. Misc. No. 52702 of 2021, it was argued that it was Subali Yadav who opened fire from his pistol hitting the finger of the left hand of the informant, as such, the petitioner does not deserve anticipatory bail.

Considering the submissions made by the learned A.P.P., the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Rahui P.S. Case No. 418 of 2020 pending in the Court of learned Chief Judicial Magistrate, Bihar Sharif, Nalanda/successor Court.

Hence, prayer for anticipatory bail is refused.

(Satyavrat Verma, J)

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