

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63076 of 2021

Arising Out of PS. Case No.-218 Year-2021 Thana- SAUR BAZAR District- Saharsa

AKHILESH YADAV Son of Dharmendra Yadav R/o Village - Belha, P.S.-
Sour Bazar, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Shiva Shankar Sharma, Advocate
For the Opposite Party/s :	Mr. Harendra Prasad, A.P.P.
For the Informant :	Mr. Md. Harun Quareshi, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 11-05-2022 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

The petitioner seeks bail in connection with Sour Bazar P.S. Case No. 218 of 2021 registered under Sections 341, 323, 147, 324, 326, 307 and 379 of the Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that petitioner is in custody since 06.06.2021, is a person with clean antecedent, charge-sheet has been submitted in the case and allegation is of firing by the petitioner hitting near the ear of the informant. Learned counsel submits that during course of investigation the statement of victim was recorded in Para 67 of the case diary wherein it has been stated that Anil Singh and the father of this petitioner were demanding the mobile from the



victim and on his refusal, this petitioner along with Anil Singh tried to snatch the mobile and they both fired hitting the victim.

Learned counsel for the petitioner submits that charge-sheet came to be submitted only against this petitioner and Anil Singh and father of this petitioner have not been sent sent up, this only demonstrates that the petitioner has been falsely implicated.

Learned counsel for the informant submits that after investigation the police found the allegation against this petitioner to be proved and the submitted charge-sheet and the victim is still treated at AIIMS and the bullet is still lying inside his body.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the submission made by the learned counsel for the informant, the court, for the present, is not inclined to grant bail to the petitioner.

(Satyavrat Verma, J)

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