

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66848 of 2021**

Arising Out of PS. Case No.-104 Year-2021 Thana- SHIVSAGAR District- Rohtas

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KAMESHWAR CHAUBEY Son of Kedar Chaubey @ Kedar Nath Chaubey  
Resident of Village- Bhadrashila, P.S.- Sheosagar, District- Rohtas at  
Sasaram.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate  
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP  
For the Informant : Mr. Raghunandan Singh, Advocate

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

2      27-04-2022                      Heard learned counsel for the petitioner, learned  
counsel for the informant and learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the  
offences punishable under Sections 341, 323, 324, 307, 504, 506  
and 34 of the Indian Penal Code read with Section 27 of the  
Arms Act.

Learned counsel for the petitioner submits that the  
petitioner is in custody since 25.04.2021, is a person with clean  
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the  
informant alleges that on 24.04.2021 at about 3:00 pm, his  
brother and father were near their house when Ashutosh  
Chaubey, Kameshwar Chaubey (petitioner) and Anand Chaubey



arrived on a motorcycle and started indiscriminate firing which caused injury to his father on chest and brother on his private part. It is further alleged that occurrence took place due to construction of road in front of the house of the informant.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and the allegation of firing is not specific as to who fired at whom.

Learned A.P.P. for the State and the learned counsel for the informant vehemently oppose the prayer for bail of the petitioner and submit that since the firing was indiscriminate as such it was difficult for the informant to allege with certainty that who fired at whom but then both father and brother of the informant have sustained grievous injury on vital part of the body.

Considering the submissions made by the learned counsel for the informant, the Court for the present is not inclined to grant bail to the petitioner. His prayer for bail is thus rejected.

**(Satyavrat Verma, J)**

Rishi/-

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