

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.92 of 2022

Arising Out of PS. Case No.-34 Year-2019 Thana- NARDIGANJ District- Nawada

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BINOD YADAV @ VINOD KUMAR Son of Bishundeo Yadav Resident of
Village - Jagdishpur, P.s.- Nardiganj, Distt.- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 01-08-2022 Learned counsel for the petitioner is directed to remove all
the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner apprehends his arrest in connection with
Nardiganj P.S. Case No. 34 of 2019, registered for the offences
punishable under Sections 341, 323, 307, 326, 504/34 of the Indian
Penal Code and Section 27 of the Arms Act.

As per allegation, the informant went to pacify
Brahmadeo Yadav and Surendra Yadav who were quarreling over the
drainage of water. The present petitioner who is nephew of Surendra
Yadav started firing from his pistol and the informant became
injured. One female also sustained firearm injury in her leg due to
fire shot committed by the present petitioner.



Learned counsel for the petitioner has submitted that despite the fact that police submitted final form, the learned court below taken cognizance against him.

I have gone through the impugned order whereby the anticipatory bail petition of the petitioner was rejected by learned Additional Sessions Judge-V, Nawada, he has mentioned that two injured eye witnesses have supported the role of the petitioner and witnesses in paragraph Nos. 9, 10, 11 and 15 including the eye witnesses have supported the case against the present petitioner but ignoring all this fact the investigating authorities submitted final form against the petitioner differing wherefrom the learned court below has taken cognizance. As such, the petitioner does not deserve the privilege for anticipatory bail. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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