

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5304 of 2023

Arising Out of PS. Case No.-908 Year-2021 Thana- GOPALGANJ TOWN District-
Gopalganj

=====

Dinesh Yadav Son Of Late Shambhu Yadav R/V- Sundarpatti, P.S.-
Gopalganj, Dist- Gopalganj

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr.Ranjan Kumar Srivastava, Advocate

For the Opposite Party : Mr.Tapeshwar Sharma, Addl Public Prosecutor

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in registered for the offences punishable under Sections 326, 307/34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, all the three FIR named accused persons including this petitioner made indiscriminate firing on the informant as a result of which he sustained two fire arms injuries.

Learned counsel for the petitioner submits that the petitioner is handicapped with 40% disability and in such a physical condition allegation of firing appears to be exaggeration. It is further submitted that there is delay of seven days in lodging of the FIR and there is no plausible explanation of delay which itself creates doubt over the prosecution case. It



is stated in paragraph 3 of the bail petition that the petitioner has got clean antecedent.

Learned counsel for the State opposes the prayer for bail submitting that the petitioner is named in the FIR with specific allegation that he along with two other accused persons made firing on the informant causing him two fire arms injuries.

Considering the nature and gravity of allegation, prayer for bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

