

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6340 of 2023

Arising Out of PS. Case No.-137 Year-2022 Thana- DULHIN BAZAR District- Patna

MITHUN KUMAR @ MITHUN YADAV Son of Devendra Yadav R/v-
Pathak Milki, P.S.- Dulhin Bazar, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Priyedarshi
For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 21-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case
instituted for the offence under Sections 307, 120B/34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, it is a case of harsh
firing by the petitioner which hit the son of the informant,
namely, Alakh Niranjana in his stomach.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. There
was no intention to commit murder of the informant's son rather
at the time of dancing in marriage ceremony, some persons
started harsh firing as a result of which informant's son received
gunshot injury in his stomach. Petitioner has got no criminal



antecedent and he is languishing in judicial custody since 23.08.2022.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that there is direct allegation of opening fire against the petitioner. During investigation, several witnesses have supported the prosecution story.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial court is directed to expedite and conclude the trial within a period of nine months failing which, petitioner will be at liberty to renew his prayer for bail.

(Sunil Kumar Panwar, J)

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