

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9040 of 2023

Arising Out of PS. Case No.-253 Year-2021 Thana- ARA MUFFSIL District- Bhojpur

NARAD YADAV S/O SHIV SHANKAR YADAV R/v- Salempur, P.S.- Ara
Muffasil, District- Bhojpur, Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur
	:	Mrs. Vaishnavi Singh
For the Opposite Party/s	:	Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 28-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Ara Mufassil (Dhobha O.P.) P.S. case no. 253 of 2021 instituted
for the offence under Sections 147, 148, 149, 307, 120(B) of the
Indian Penal Code and Section 27 of the Arms Act.

As per allegation in the FIR, in the morning of
19.9.2021 the petitioner along with other co-accused persons
came on motorcycle and this petitioner pulled out his pistol and
fired in the stomach of the informant as a result of which the
informant sustained gunshot injury. It is further alleged that
during course of this incident, other accused persons also fired
upon the informant.

Learned counsel for the petitioner submits that the



petitioner is innocent and committed no offence. He has falsely been implicated in this case. It is further submitted that during course of the investigation, one of the witnesses stated a different story which create doubts upon the prosecution. Moreover, the petitioner is languishing in judicial custody since 17.8.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted from perusal of FIR that there is direct allegation against this petitioner who fired upon the informant due to which he sustained injury. The medical report of the injured vide para 47 of the case diary, corroborates the prosecution story wherein doctor opined the nature of injury is grievous caused by firearm.

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.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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