

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11500 of 2022

Arising Out of PS. Case No.-340 Year-2020 Thana- SAUR BAZAR District- Saharsa

Shyamal Yadav S/o Umakant Yadav R/o village- Pama, P.S.- Sourbazar
(Patarghat O.P.), District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Adv

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 09-01-2023 Heard learned counsel for the petitioner and learned APP for
the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Sourbazar (Patarghat O.P) P.S. Case No. 340 of 2020 registered under Sections 147, 148, 149, 323, 341, 307, 302, 504 and 506 of the Indian Penal Code and Section 27 of Arms Act.

It is alleged that petitioner has fired upon the informant's father's chest.

Learned counsel for the petitioner submits that informant and witnesses, at that trial, have deposed at variance with the allegation levelled in the F.I.R. Petitioner, having clean antecedent, is stated to



be in custody since 12.06.2021.

Learned APP, referring to the material emerges in the course of investigation, submits that the specific allegation of causing death by fire arm injury on chest of the deceased is also corroborated by the postmortem report. Informant has lodged the case as eye witness.

Since it is submitted by petitioner’s counsel that three witnesses have already been examined, having regard to the nature of allegation and material emerges in the course of investigation, this Court, for the present, is not inclined to allow petitioner’s prayer for bail. The same is rejected.

The application for bail is thus dismissed.

(Madhuresh Prasad, J)

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