

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25731 of 2023

Arising Out of PS. Case No.-146 Year-2022 Thana- JAGDISHPUR District- Bhojpur

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Bimal Singh Yadav @ Uday Prakash Bimal Ji Son Of Dasrath Singh Resident
Of Village-Asudhar, Post Office-Bahuara, Police Station-Jagdishpur, District-
Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-07-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 341, 323, 307, 34 of the Indian Penal Code

and Section 27 of the Arms Act.

It is a case of opening fire by the petitioner and

other accused persons upon the informant and a child

namely Karan Kumar aged about twelve years who

received gunshot injuries.

It is submitted by learned counsel for the



petitioner that petitioner is innocent and he has falsely been implicated in this case. It is further submitted that for the same occurrence, the informant had filed Complaint Case No. 430(C) of 2022 wherein he alleged that he did not receive any gunshot injury and co-accused Kulbhushan Yadav shot fire at Karan Kumar and in the aforesaid case, learned Court below did not take cognizance against the petitioner. The independent witnesses have also not supported the case of the prosecution against the petitioner. The petitioner is languishing in custody since 24.02.2023.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that there is specific allegation against the petitioner that he shot fire as a result of which a child Karan Kumar sustained gunshot injuries. The injury report of the injured is annexed with the case diary which also corroborate the case of the prosecution. The independent witnesses have also supported the case



of the prosecution.

Considering the fact that there is specific accusation against the petitioner, this Court is not inclined to grant bail to the petitioner. The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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