

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27697 of 2023**

Arising Out of PS. Case No.-40 Year-2023 Thana- DEO District- Aurangabad

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Ajay Yadav Son Of Shatrudhan Yadav R/O Village- Lal Bigha, P.S.-
Aurangabad (Muffasil), District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 06-06-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Deo P.S. Case No. 40 of 2023 lodged under Sections 307/ 34 of
the I.P.C. read with Section 27 of the Arms Act.

4. As per the prosecution case, the F.I.R. has been
lodged against one named and two unknown accused persons.
The allegation of firing upon the informant's son is there by the
accused persons due to which, he injured and admitted to
hospital.

5. Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R. Counsel further submits that
petitioner's name has figured in this case by virtue of

confessional statement of named accused Vekesh Yadav @ Bikesh Yadav. Counsel submits that the informant and the accused sides are well known to each other and they are the family members. The name of the petitioner has come under wrong impression. Counsel further submits that the antecedent of the petitioner is clean and he is custody since 19.02.2023 in which charge-sheet has already been submitted.

6. Learned counsel for the State opposes the prayer for bail and submits that learned Additional Sessions Judge-X, Aurangabad (Bihar) at the time of rejecting the bail have acknowledged in the order-sheet that Vikesh Yadav @ Bikesh Yadav have categorically stated that it is the petitioner who shot fire on the *kanpatti* of the informant's son.

7. In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner and, therefore, his bail petition is hereby rejected.

8. Liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge.

9. With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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