

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31750 of 2023**

Arising Out of PS. Case No.-368 Year-2020 Thana- MURLIGANJ District- Madhepura

MANDHIR YADAV @ SANJEEV YADAV S/o- SHYAM YADAV R/o-
Khohaypatti, Ps- Murliganj, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Siongh, Sr. Advocate
For the Opposite Party/s	:	Mr. Bharat Bhushan, APP
For the Informant	:	Mr. Surya Narayan Yadav, Advocate
		Ms. Kumari Pallavi, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 23-08-2023 Heard the parties.

The petitioner is in custody in connection with Murliganj P.S. Case No. 368 of 2020 for the offence under sections 307, 379, 341, 323, 34 of the Indian Penal Code and Section 27 of the Arms Act lodged on 26.11.2020 by the informant, Sarita Devi.

As per the prosecution story, the allegation is that at the instance of Nawal Kishore Yadav, the other accused persons made indiscriminate firing hitting the son of the informant on his legs as also on head. As the villagers assembled, the accused persons retreated whereafter he was shifted to Murliganj Primary Health Center and then to Madhepura Sadar Hospital. Accordingly, the FIR.

Learned Senior Counsel for the petitioner submits that number of persons have been implicated in the case showing



indiscriminate firing, the petitioner being one of them, have already suffered by being in custody since 21.01.2023 (as stated in paragraph 14 of the petition) and he do not have criminal antecedent.

Learned counsel for the informant, on the other hand, has provided copies of the order of co-ordinate Benches in Cr. Misc. No. 33561 of 2021 and Cr. Misc. No. 37469 of 2021 to show that some of the accused persons have been denied bail.

Learned APP, Mr. Bharat Bhushan, has drawn attention to the injury report i.e. part of the case diary to show that injured has been inflicted with multiple injuries in his leg.

Considering the aforesaid facts on record, the submission put forward by the respective counsels, for the present, this Court is not inclined to extend him the privilege of bail, he may renew the prayer only after the framing of the charges.

The bail application stands rejected.

(Rajiv Roy, J)

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