

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38334 of 2023

Arising Out of PS. Case No.-275 Year-2016 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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RUDAL YADAV Son of Ganeshi Yadav Resident of village - Kankaul, Post
Chilmil, P.S.- Muffasil, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 31-07-2023

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Muffasil P.S. Case no. 275 of 2016 registered under sections 307, 447, 452 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the five named accused persons are said to have come at the door of the informant. It is further stated that Mukesh Yadav with pistol in his hand shot at the informant as a result of which he fell down injured. Thereafter, all the five accused persons including the petitioner herein went away hurling abuses and firing. It is further stated by the informant that the dispute is going on with the aforesaid Mukesh Kumar. The informant is being treated at



the Sadar Hospital, Begusarai.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. From perusal of the FIR it would transpire that the dispute of the informant is with one Mukesh Yadav who is said to be the sole accused carrying the firearm and who resorted to firing. No overt act has been alleged against this petitioner.

5. Heard learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR wherein the petitioner happens to be the named accused together with the petitioner having absconded for a period of about seven years before moving his application for anticipatory bail in the learned trial court, the Court is not inclined to enlarge the petitioner on anticipatory bail and the application is rejected.

(Partha Sarthy, J)

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