

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49936 of 2023

Arising Out of PS. Case No.-27 Year-2023 Thana- KHARIK District- Bhagalpur

CHHOTU YADAV S/O Pankaj Yadav R/O Village- Khairpur, P.S- Kharik,
Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 15-09-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
15.02.2023 in connection with Kharik P.S. Case No. 27 of
2023, F.I.R. dated 14.02.2023 registered for the offence
punishable under Sections 341,323,307,447,448,34 of the
Indian Penal Code and Section 27 of Arms Act.

3. Allegation against the petitioner is that he fired
upon the father of the informant as a result of which he
sustained grievous injury.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. He has falsely
been implicated in the present case. The allegation as alleged in
the FIR is false and fabricated and the petitioner has not



committed any offence as alleged in the FIR and the informant is not the eye witness of the alleged occurrence. Further submits that on the basis of the information furnished by Anu Kumari, the informant has filed the present FIR against the petitioner. Further submits that due to previous dispute the petitioner has falsely been implicated in the present case and both the parties are agnates and injured person, namely, Pappu Yadav has been examined and he has stated that the petitioner has fired upon him and the petitioner was apprehended on 14.02.2023 from his house and the occurrence had taken place on 13.02.2023 but the present FIR has been instituted on 14.02.2023 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 15.02.2023.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner which is supported by the victim as well as the empty cartridge has been recovered from the place of occurrence and the injury report of the victim suggests that he has received firearm injuries and the type of injury is grievous in nature and two bullets removed from the body of the victim.



6. Considering the aforesaid facts, I am not inclined to
enlarge the petitioner on bail in connection with Kharik P.S.
Case No. 27 of 2023 pending in the court of learned A.C.J.M.-
1st, Naugachia, Bhagalpur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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