

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54041 of 2022

Arising Out of PS. Case No.-141 Year-2019 Thana- BANMANKHI District- Purnia

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MUKESH YADAV, S/o Late Ramadhar Yadav Resident of Village- Sihma,
P.S.- Bithan, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Adv

For the Opposite Party/s : Mr. Binod Kumar No. 3, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 09-02-2023 Heard learned counsel for the petitioner and learned APP for
the State.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Banmankhi P.S. Case No. 141 of 2019 registered under Sections 324, 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

There is allegation of seven persons indiscriminately firing upon grand-father of the informant and his daughter.

Learned counsel for the petitioner submits that it is a false case. No such occurrence has occurred. The falsity is evident from the fact that prosecution alleges seven persons have fired, whereas the victim has sustained only one fire-arm injury. Petitioner, upon his



remand in the instant case, has been in custody since 13.12.2021.
Investigation is complete.

Learned APP has opposed the prayer for bail. It is submitted that petitioner has specifically been assigned gunshot injury which has been found on the victim’s chest. Petitioner has also two antecedents.

Considering the rival submissions, materials on record and the specific allegation against the petitioner, this Court, for the present, is not inclined to allow the petitioner’s prayer for bail. The same is rejected.

Application for bail is thus dismissed.

(Madhuresh Prasad, J)

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