

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66506 of 2022

Arising Out of PS. Case No.-179 Year-2021 Thana- MOHANIYA District- Kaimur (Bhabua)

1. PAPPU YADAV
2. Babalu Yadav
3. Bipin Yadav
All Sons of Late Sugrim Yadav @ Sugriv Yadav
All are R/V- Mudohariya P.S- Mohania Dist- Kaimur (Bhabhua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 14-03-2023 Heard learned counsel for the petitioners and the
learned APP for the State.

Petitioners seek regular bail in connection with
Mohania P.S. Case No. 179/2021, corresponding to S.Tr. No.303
/ 2022 registered for the offences punishable under Sections
324, 326, 307/34 of the Indian Penal Code and Section 27 of the
Arms Act.

As per the prosecution, the informant alleged that
these petitioners arrived at the alleged place and Pappu Yadav
(petitioner no.1) opened fire at the informant and the co-
accused Babalu Yadav (petitioner no.2) and Bipin Yadav
(petitioner no.3) also fired at the informant's father causing



injuries.

The main submissions advanced by the learned counsel for the petitioners are that all the petitioners have fair and clean antecedents and in the instant matter, two persons are stated to have sustained injuries in the alleged occurrence of firing, the informant sustained injury at his non-vital part of the body and the same has been opined to be simple in nature and other injured who is stated to be father of the informant sustained three injuries in which two have been opined to be simple in nature and one injury which has been opined to be grievous in nature, has been found on non-vital part of the body and all the petitioners have been languishing in jail since 08.07.2022.

Learned APP appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR and the injury reports of informant and his father filed by the petitioners vide Annexure 2 series. The FIR goes to show that firstly the petitioner No.1, Pappu Yadav fired upon the informant and thereafter when informant's father and his other family members intervened to save the informant, petitioner no.2, Babalu Yadav and petitioner no.3, Bipin Yadav fired at the father of the



informant which caused firearm injuries to him and the said allegations appearing against the petitioners get corroboration from the injury reports of informant and his father. Considering the seriousness of the allegation appearing against all the petitioners, in my opinion, it is not a fit case for bail to the petitioners. Accordingly, their bail prayer stands rejected.

However, petitioners may renew their bail prayer after six months, if any significant progress is not made in their trial by the trial court.

(Shailendra Singh, J)

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