

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58474 of 2022

Arising Out of PS. Case No.-34 Year-2021 Thana- KHAIRA District- Jamui

Rahul Yadav Son Of Chitaman Yadav @ Chintaman Yadav @ Sitaman Yadav
Resident Of Village- Manjhayani, P.S.- Khaira, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar
For the Opposite Party/s	:	Mr. Ugranath Mallik
For the State	:	Murli Dhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-02-2023 Heard learned counsel for the petitioner, learned

counsel for the informant and learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 147, 148, 149, 324,
307, 506 of the Indian Penal Code and Section 27 of
Arms Act.

The prosecution case in nutshell is that when
the informant was leveling his land, petitioner along with
other co-accused persons started abusing and restraining
the informant from work. It is further alleged that



petitioner fired upon the chest of informant, due to which he sustained gun shot injury.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. There is land dispute between the parties. Petitioner is in judicial custody since 20.06.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing on behalf of the State & learned counsel for the informant vehemently opposed the prayer of the petitioner and submitted that there is specific overt act of allegation of opening fire is levelled against the petitioner. Injury report shows one penetrating wound of gun shot fire on right chest between first and second rib, measuring 3 cm X 1.5 cm. There is comminuted fracture and Chest wall injury has also been found. Doctor has opined the injury as grievous in nature.

Having heard the learned counsel for the



parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

Learned trial court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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