

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64013 of 2023

Arising Out of PS. Case No.-70 Year-2022 Thana- PALIGANJ District- Patna

BINOD YADAV S/O VIDYA NAND YADAV R/O VILLAGE- KODRA, P.S-
PALIGANJ, DISTT.- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlesh Prasad Yadav

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-11-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection with Paliganj P.S. Case No. 70 of 2022 instituted for the offence under Sections 147, 148, 149, 323, 307, 354(B), 504 of the Indian Penal Code.

3. As per allegation in the FIR, when the informant along with her husband was going to house, meanwhile, the accused persons including the petitioner caught him and this petitioner fired by his pistol which hit at stomach of the informant's husband due to which he sustained injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in this case due to previous land dispute



between the parties. It is further submitted that the petitioner is languishing in judicial custody since 21.5.2023.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that the petitioner is named in the FIR who has specifically been alleged to fire upon the informant's husband due to which he sustained injury. The injury report annexed with the case diary shows that the injury is gregarious in nature. During course of investigation, witnesses of the case have supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the specific allegation of firing against the petitioner, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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