

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62979 of 2022

Arising Out of PS. Case No.-15 Year-2022 Thana- CHARPOKHARI District- Bhojpur

TUNNI YADAV Son of Sabha Yadav @ Shyambabu Singh R/V- Bajareyan,
P.S- Sahar, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Pandey, APP

For the Opposite Party/s : Mr. Mohammed Arif, Adv

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 01-02-2023 Heard learned counsel for the petitioner and learned APP for
the State.

Petitioner seeks bail in connection with Charpokhari P.S. Case
No. 15 of 2022 registered under Sections 307 and 34 of the Indian
Penal Code and Section 27 of the Arms Act.

It is alleged that three persons have stopped the vehicle in
which the informant along with her sister was travelling and fired
upon them. Specific allegation of firing upon the sister, Sajan
Kumari, is attributed against instant petitioner.

Learned counsel for the petitioner submits that it is a case of
false implication. It is submitted that joint compromise petition has
been filed in the trial court stating that co-accused Mulayam Yadav
has mistakenly been made a named accused. The same is indicative
of the false implication. The petitioner is stated to be in custody since
25.04.2022. It is further submitted that the veracity of allegations is



also rendered doubtful since the informant has specifically identified the gunshot injury which hit her sister and attributed the same to the petitioner.

Learned APP has opposed the prayer. It is submitted that the specific firearm injury has been attributed to the petitioner. The petitioner also has two antecedents.

Considering the rival submissions, this Court, having regard to the gravity of accusations regarding firing upon sister of the informant coupled with the petitioner’s antecedent, is not inclined to allow the petitioner’s prayer for bail, for the present.

The application for bail is thus dismissed.

(Madhuresh Prasad, J)

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