

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68766 of 2023

Arising Out of PS. Case No.-62 Year-2023 Thana- RUDRAPUR District- Madhubani

ARVIND KUMAR YADAV Son of Ram Sundar Yadav Resident of Village -
Barsam, P.S.- Rudrapur, District - Madhubani, Bihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Kumar Jha

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-12-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for grant of regular bail in a case instituted for the offence under Sections 147, 148, 149, 341, 323, 324, 307, 354(B), 379, 506 and 506 of the Indian Penal Code and Section 27 of the Arms Act. Section 302 IPC was further added.

3. As per allegation in the FIR, all FIR named accused persons including the petitioner came to the house of the informant and started to abuse her. On protest, petitioner fired bullet on her father-in-law which hit his leg. Accused Ram Sundar attacked her uncle-in-law by means of sharp weapon and fractured his leg. Accused Lalita, Dev Narayan and Saroj Yadav attacked on her husband by means of axe due to which he



sustained cut injury on hand. Accused Ganga Pd. Yadav and Suman Kumar Yadav committed loot at her house. On assembling of local people, all the accused persons fled away. It is further alleged that after twenty days of the occurrence, informant's father-in-law succumbed to injury during treatment.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to previous enmity. Deceased died after 20 days of the occurrence, but surprisingly, his statement was not recorded by the I.O. As per postmortem report, no any fire-arm injury was found on the leg of the deceased. Petitioner is languishing in judicial custody since 6.6.2023.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that there is direct allegation to open fire upon the deceased, namely, Bhola Yadav, against the petitioner. During investigation, other injured persons, namely, Ramesh Kumar Gupta and Ramchandra Sahu have support the allegation. As per postmortem report, death was caused due to septicemia.

6. 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.

7. The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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