

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75399 of 2022

Arising Out of PS. Case No.-25 Year-2020 Thana- KISHUNPUR District- Supaul

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Rahul Kumar @ Rahul Yadav @ Rahul Kumar Yadav Son Of Subhash Yadav
R/O Village- Nawa Bhakhar, P.S.- Kishanpur, District- Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv
		Mrs. Vaishnavi Singh
For the Opposite Party/s :		Mr. Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 19-06-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in connection with
Kishanpur P.S. Case No. 25 of 2020 instituted for the offence
under Sections 147, 148, 149, 341, 342, 323, 307, 504, 506 of
the Indian Penal Code and Section 27 of the Arms Act.

As per allegation in the FIR, when the informant
along with his daughter went to market for purchasing articles,
meanwhile, accused persons including the petitioner came there
and started firing. During course of this incident, this petitioner
fired upon daughter of the informant which hit at her right arm
due to which she sustained firearm injury.

Learned counsel for the petitioner submits that the



petitioner is innocent and committed no offence. He has falsely been implicated in this case. In fact, there was some dispute in between the informant and one Surya Narayan Yadav and the petitioner has no concern either with them or this case. It is also submitted that after completion of the investigation, I.O. has not sent up to the petitioner for trial but the learned Magistrate took cognizance against him after finding prima-facie case true. Moreover, the petitioner is languishing in judicial custody since 3.7.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that from perusal of prosecution story, it appears that there is direct allegation against the petitioner who shot fire upon the daughter of the informant due to which she sustained gunshot injury. The injury report, which is mentioned in para 92 of the case diary, also corroborates the prosecution story wherein, doctor opined that the injured namely, Anju Devi sustained injury caused by firearm which is dangerous to life.

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.

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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