

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14477 of 2024

Arising Out of PS. Case No.-573 Year-2023 Thana- KHARHAGPUR District- Munger

BIBHASH KUMAR YADAV @ VIVIYA @ VIVIY S/O LATE RAJENDRA
YADAV R/O PASCHIM AJIMGANJ @ WEST AZIMGANJ, P.S-
KHARAGPUR, DISTRICT.- MUNGER.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jainandra Kumar, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Kharagpur P.S. Case no. 573 of 2023, registered under sections 307, 333, 353, 379, 511 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that three named accused persons including the petitioner herein as also 6-7 others indulged in theft. It is further stated that on being confronted, the petitioner fired upon the informant causing injuries on his temple.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case because of his antecedent. The cause of false implication of the petitioner is



that he used to protest the teasing of the *mohalla* ladies by the guards who were posted at residence of the S.D.M, Kharagpur. In any case the injuries are simple in nature. The petitioner is in custody since 19.9.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the FIR, corresponding injuries having been found on the informant, even though simple in nature, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Liberty is granted to the petitioner to renew his prayer for bail on completing one year in custody or after framing of charge, whichever is later.

(Partha Sarthy, J)

Shiv/-

U		T	
---	--	---	--

