

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16427 of 2024

Arising Out of PS. Case No.-165 Year-2023 Thana- DHANSOI District- Buxar

HANUMAN SHUKLA S/O JITENDRA SHUKLA R/O VILLAGE- PARBAT
CHAK, P.S- DHANSOI, DISTT.- BUXAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 03-05-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Dhansoi P.S. Case no.165 of 2023 registered under sections 307, 147, 148, 149, 341, 323, 447, 504 and 506 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that on the orders of Jitendra Shukla, his son Hanuman Shukla, the petitioner herein, fired from his pistol causing gunshot injury on the shoulder of Saroj Yadav as a result of which he fell down injured. Thereafter Jitendra Shukla is said to have assaulted Ghanshyam Yadav with an iron rod.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No such occurrence as alleged has taken place. The manner of occurrence is other than what has been narrated in the F.I.R. The cause of false



implication of the petitioner is land dispute between the parties. There is case and counter case and the correct version having been narrated in the case lodged by the petitioner's side. The petitioner is in custody since 13.11.2023 and has no criminal antecedent. Co-accused Sri Bihari Shukla has been enlarged on bail vide order dated 20.2.2024 passed in Cr. Misc. no.8574 of 2024.

5. The application for bail is opposed by learned A.P.P. for the State. Referring to the order of the learned trial Court he submits that as per allegation in the F.I.R., corresponding gunshot injuries have been found on the shoulder of Saroj Yadav.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R. of having fired with his pistol as a result of which Saroj Yadav sustained gunshot injuries and corresponding injuries have been found in the injury report of said Saroj Yadav, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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