

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61229 of 2023

Arising Out of PS. Case No.-310 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Lalan Yadav, Male, aged about 21 years, Son of Muso Yadav, Resident of
Village -Kankaul, Police Station- Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Ranjan, Advocate
For the Opposite Party/s	:	Mr. Choubey Jawahar, APP
For the Informant	:	Mr. Binod Kumar, Advocate
		Mr. Amar Kumar Singh, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

7 27-02-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with
Begusarai Muffasil PS Case No. 310 of 2022 instituted for the
offences punishable under Sections 341,323,302,504/34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, it is a case of shot fired
upon the husband of the informant by the petitioner later on he
died.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. He further submits that



investigation is complete and chargesheet has already been submitted

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for bail and submits that the petitioner is FIR named accused person and there is specific allegation against the petitioner.

6. From perusal of the case diary, FIR, postmortem report and also the impugned order of the learned Additional Sessions Judge-XI, Begusarai dated 14.02.2023, it appears that allegation against this petitioner is specific that he fired on the husband of the informant with pistol and the bullet hit the chest due to which he died. It appears from paras 10, 40, 41 and 42 of the case diary that all the witnesses have fully supported the prosecution case. The police found the case true against the petitioner and other co-accused persons during the course of investigation. Perusal of the postmortem report, the death has been occurred due to hemorrhage and neurogenic shock as a result of injuries caused by projectile firearm. Petitioner is in custody since 02.09.2022.

7. Considering the facts and circumstances as discussed above and considering the direct and specific allegation of firing against the petitioner and the seriousness of



the offence, I am not inclined to grant bail to the petitioner.

8. Prayer for regular bail of the petitioner is hereby
rejected.

(Ramesh Chand Malviya, J)

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