

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67557 of 2023

Arising Out of PS. Case No.-1155 Year-2022 Thana- BARACHATTI District- Gaya

DILIP YADAV S/O KESHO YADAV RESIDENT OF DURJAN KHAP, PS.
MOHANPUR, DIST. GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 307, 379, 354(B), 341, 323, 325, 504, 506/34 of the Indian Penal Code, Sections 8/12 of the POCSO Act and Section 27 of the Arms Act.

3. As per prosecution case, on the alleged date of occurrence when the informant's sister was returning to her house from the market, petitioner tried to pull her in his house with wrong intention. In the meantime, informant reached there and modesty of his sister was saved. Thereafter, all the accused persons surrounded the informant and assaulted him and his sister. Accused Sudama Yadav assaulted his sister by means of



iron rod on her hand due to which her hand got fractured. Specific allegation against the petitioner is that he shot fire upon the informant due to which he sustained gunshot injury in his stomach. It is further alleged that on alarm being raised, several co-villagers gathered there and thereafter, all the accused persons fled away.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Specific allegation of outraging the modesty is not against the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 12.7.2023.

5. Learned APP appearing for the state have vehemently opposed the prayer of regular bail and submitted that specific allegation of opening fire upon the informant is against this petitioner. Injury report is in consonance with the prosecution case. Injury report suggests that injured has received one firearm injury in his abdomen, which is a vital organ of the body. During investigation, several witnesses have supported the prosecution story.

6. Having heard the learned counsel for the parties and considering the fact that there is direct allegation of opening



fire against the petitioner which hit the vital organ of the informant, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

8. The trial Court is directed to expedite the trial within nine months, failing which the petitioner may renew his prayer of bail.

(Sunil Kumar Panwar, J)

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