

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67482 of 2023

Arising Out of PS. Case No.-115 Year-2022 Thana- PHULWARIYA District- Gopalganj

PAWAN YADAV Son of Sanjay Yadav R/o vill - Mardwani, P.S. -
Phulwariya, Distt. - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepankar Raj, Adv.

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-04-2024

Heard the parties.

2. The petitioner apprehends his arrest in connection with Phulwariya P.S. Case No. 115 of 2022, registered for the offence punishable under Sections 447, 307/34 of the Indian Penal Code and under Section 27 of the Arms Act.

3. As per prosecution case, the allegation against the petitioner is that he shot fire at the husband of the informant causing injury on his hip (*Kulha*).

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to village politics as the mother of the petitioner is *Sarpanch* of the village where the occurrence took place. He submits that the petitioner has got clean antecedent. He further submits that there is no



independent witness who has supported the prosecution case.

5. On the contrary, learned APP for the State opposed the prayer for anticipatory bail by submitting that the injury report corroborates the allegation as levelled by the informant and there is direct allegation against the petitioner. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as injury report which corroborates the allegation levelled against the petitioner and there is direct allegation against the petitioner of firing upon the husband of the informant along with the materials found in the case diary, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail made on his behalf is hereby rejected.

7. Accordingly, this application stands dismissed.

(Anjani Kumar Sharan, J)

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