

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72887 of 2023

Arising Out of PS. Case No.-113 Year-2023 Thana- TRIVENIGANJ District- Supaul

SHIV NARAYAN YADAV S/O RAM PRASAD YADAV VILLAGE-
KUSAHA, TOLA- MAYURWA, WARD NO. 03, PS. TRIBENIGANJ, DIST.
SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Ms. Asha Devi

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

ORAL ORDER

5 19-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Tribeniganj P.S. Case No. 113 of 2023 registered for the offence under Sections 148, 149, 342, 447, 341, 323, 427, 326, 307, 380, 506 of the IPC and Section 27 of the Arms Act.

3. As per the prosecution case, the allegation against the petitioner is that he fired a bullet with intention to kill the informant, but it hit him on his buttock and he fell down.

4. Learned counsel for the petitioner submits that petitioner is innocent committed no offence and has falsely been implicated in this case due to ulterior motive. He is in custody since 28.06.2023.



5. However, learned APP for the State strongly opposed the prayer for regular bail.

6. Having heard learned counsel for the parties, perused the FIR, injury report and impugned order dated 04.09.2023 passed by learned Additional Sessions Judge – I, Supaul, it appears that there is specific allegation against the petitioner that he fired a bullet which hit the buttock of the informant. This is entry and exist injury. Perusal of the impugned order of the trial Court is also clear in reinstatement of informant in para 3 of the diary and other witness supported the case. In these circumstances, I am not inclined to grant bail to the petitioner.

7. Accordingly, this petition stands rejected.

8. However, the trial court is directed to conclude the trial within a period of six months from the date of receipt of this order. If the trial is not concluded within the aforesaid period of six months, the petitioner shall be liberty to renew his prayer for bail.

(Ramesh Chand Malviya, J)

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