

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5382 of 2024

Arising Out of PS. Case No.-196 Year-2021 Thana- NAYA RAM NAGAR District- Munger

Madan Yadav @ M. C. Yadav, aged about 29 years, Male Son of Upendra Yadav, Resident of Village-Heru Diyara, (Kalisthan) P.S.-Naya Ram Nagar, District-Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jyoti Ranjan Jha, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Naya Ram Nagar PS Case No. 196 of 2021 instituted for the offences punishable under Sections 341,323,307,504,506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, all the accused persons assaulted the informant by means of brick and also abused filthy language.

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 due to land dispute. Neither the petitioner arrested on the spot nor any incriminating articles



has been recovered from the possession of this petitioner. From perusal of the case diary, FIR and also perused the impugned order dated 07.11.2023 passed by the learned 3rd Additional Sessions Judge, Munger, it appears that allegation against this petitioner is specific that petitioner fired on the brother of the informant with pistol and the bullet hit the stomach as mentioned in the impugned order. Statement of victim who also supported the case. Other persons also sustained grievous injuries caused by firearm. Petitioner is in custody since 11.09.2023.

5. Learned APP opposes the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant bail to the petitioner.

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

(Ramesh Chand Malviya, J)

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