

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30941 of 2025

Arising Out of PS. Case No.-336 Year-2023 Thana- BIHIA District- Bhojpur

Kishun Yadav @ Loha Yadav son of Hari Narayan Yadav Resident of
Mohalla- Maula Bag, P.S.- Ara Nawada, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Raju Kumar Singh, Adv.
For the State	:	Mr.Lalan Kumar, A.P.P.
For the informant	:	Mr. Vivekanand Singh, Adv. Mr. Hira Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

4 02-09-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Bihiya P.S. Case No. 336 of 2023, registered for the offences under Sections 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and co-accused shot at the informant and specific allegation against the petitioner is that he fired upon the informant and the shot hit in her chest. The informant received another injury in her hand from the shot fired by co-accused Nagendra Yadav.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He has not committed any offence. The petitioner was not even present during the occurrence and he was in Pune. The petitioner has been falsely



implicated in this case due to previous enmity. Charge sheet has been submitted. The petitioner is in custody since 03.03.2025 and he has no criminal antecedent.

5. Learned A.P.P. appearing for the State and learned counsel for the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that the injury report shows the informant received gun shot injury on right side of the chest over breast and another gun shot injury was found on right lower hand. Learned counsel further submits that this injury on the chest could have been proved fatal.

6. Since there is specific allegation of firing upon the petitioner and the shot hit on a vital part which could have caused the death of the informant, I am not inclined to enlarge the petitioner on bail at this stage and hence, his prayer for bail is rejected.

7. Learned trial court is directed to expedite the trial and try to conclude it at the earliest, considering the fact that the petitioner is in custody since 03.03.2025.

(Arun Kumar Jha, J)

Anuradha/-

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