

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73118 of 2024

Arising Out of PS. Case No.-373 Year-2024 Thana- BIHTA District- Patna

Rahul Yadav @ Rahul Kumar Son of Sunil Ray @ Bhola Yadav, R/o village-
Narainpur, PS- Bihta, Dist- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-01-2025 Heard Mr. Nafisu Zzoha, the learned counsel for
the petitioner and Mr. Raj Ballabh Singh, the learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Bihta PS Case No. 373 of 2024, FIR dated
19.04.2024, registered for the offences punishable under Section
307 read with Section 34 of the Indian Penal Code and under
Section 27 of Arms Act.

3. According to the prosecution case, while the
informant was going to Balmukund factory for work, the co-
accused persons surrounded the informant and one Rahul Yadav
shot on informant's back.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case and the allegation levelled in the



FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He lastly submits that upon perusal of the FIR, it appears that date of occurrence as alleged in the FIR is on 30.03.2024, but the present FIR has been instituted on 19.04.2024, after a delay of about twenty days.

5. The learned Additional Public Prosecutor for the State on the other hand on the basis of materials available on record and case diary has vehemently opposed the prayer for bail of the petitioner and submits that number of witnesses have supported the case of the prosecution. Apart from that, the injury report of the victim suggests that informant has received fire-arm injury on the backside.

6. Considering the aforesaid facts and circumstances and the fact that there is direct allegation against the petitioner, I am **not** inclined to grant the privilege of anticipatory bail to the petitioner in connection with Bihta PS Case No. 373 of 2024, pending in the Court of learned Additional Chief Judicial Magistrate-I, Danapur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Shahnawaz/-

U		T	
---	--	---	--

