

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34737 of 2014

Arising Out of PS.Case No. -14 Year- 2006 Thana -WAJIRGANJ District- GAYA

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1. Krishna Yadav Son of Prabhu Yadav, Resident of village- Karihara, P.S. Wazirganj, O.P. Tankuppa at District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. S.N.Shukla(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 16-01-2015 Heard both sides.

Petitioner seeks bail in Wazirganj P.S. Case No. 14 of 2006 registered under section 307 and other allied sections of the Indian Penal Code and 27 of the Arms Act.

Nanku Manjhi alleged that some body fired which hit in the abdomen of Chandeshwar Yadav .

Learned counsel for the petitioner submits that petitioner is not named in the first information report. During the course of investigation the brother and other villagers were examined. The brother of the injured did not name the petitioner. Some of the witnesses named the petitioner that he fired Chandeshwar Yadav.In paragraph 37of the case diary Chandeshwar disclosed that he was never unconscious but he gave his

statement after having recovered and discharged from the hospital and disclosed that Krishan Yadav fired which hit in his abdomen. It is submitted that the informant was the first man who arrived at the place of occurrence immediately after firing but Chandeshwart Yadav did not disclose the name of assailant and that is. why he did not name anybody in the fardbeyan. When Chandeshwar Yadav was not unconscious he should have disclosed the name of actual assailant but he his own brother in paragraph 8 also did not name any of the assailants.

Considering the facts and the nature of allegation, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Shri Kumar Gunjan, J.M. Ist Class, Gaya in connection with the above noted case.

(Prabhat Kumar Jha, J)

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