

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42858 of 2015

Arising out of PS.Case No. -146 Year- 2015 Thana -BARH District- PATNA

===== Mukesh Yadav, Son of Ravindra Yadav, resident of Village - Baharawa, Police Station - Barh, District - Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

===== **Appearance :**

For the Petitioner : Mr. Tej Narayan Singh, Advocate.

For the Opposite Party : Mr. Madhurilata (App)

===== **CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**
ORAL ORDER

3 15-10-2015 Heard learned counsels for the petitioner, informant and learned counsel for the State

The petitioner is languishing in custody since 19.06.2015 in connection with Barh P.S. Case No. 146 of 2015 for the offences instituted under Sections 341, 323, 504, 506, 307, 427/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that the informant's daughter aged five years had been sitting for natural call in land of his aunt Meena Devi. In the meantime, Meena Devi went to the houses of the accused people to make complain for the same. For this reason, the ladies of the houses started abusing each other. Meanwhile, the accused people came in between and among them Mukesh Yadav fired a shot to Meena Devi and the bullet fired by Lali Yadav shot the Ox standing nearby. The rest of the accused

people scattered in different direction firing. There are also other several reasons for the incident.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 19.06.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. The injury caused by the petitioner is said to be on non-vital part of the body. Hence, no offence under Section 307 of the IPC is made out. It is further submitted that the petitioner may be released after completion of eight months in custody from 19.06.2015.

On behalf of the learned counsels for the informant and the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner may be released on bail after completion of eight months in custody from 19.06.2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Barh, Patna, in connection with Barh P.S. Case No.146/2015.

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(Sudhir Singh, J)