

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28217 of 2015

Arising out of PS.Case No. -22 Year- 2015 Thana -GHOSI District- JEHANABAD

1. Gani Yadav @ Ganauri Yadav, S/o Babu Ram Yadav.
2. Vikash Yadav, S/o Jain Yadav. Both residents of village Lodipur, P.S. Ghosi, District Jehanabad.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Umesh Kumar, Advocate.

For the Opposite Party : Mr. Ganesh Pd.Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-09-2015 The application on behalf of the petitioner no. 2, Vikash Yadav, has already been disposed of by this Court vide order dated 08.07.2015.

Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is apprehending his arrest in connection with Ghosi P.S. Case No. 22 of 2015 for the offences instituted under Sections 147, 148, 149, 341, 323, 325, 504, 427, 429, 307 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 29.01.2015 at about 8.30 P.M., the informant heard sound of Khar-Kharh and noticed the petitioners Gani Yadav and Vikash Yadav besides co-



accused persons closing drain of the informant and on being protested co-accused-petitioner Gani Yadav opened fire targeting the informant but he was fortunately saved and all the accused persons pelted brick-bats upon the informant party whereas petitioner Vikash Yadav and Wakil Yadav opened fire from their respective fire arms which hit a she-buffalo of Ram Jeewan Prasad.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case. The petitioner is an old man. The alleged occurrence is said to have taken place due to drainage of water. It is further submitted that no one has been injured in course of occurrence. Hence, no offence under Section 307 I.P. C. can be made out.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner no. 1 Gani Yadav @ Ganauri Yadav, be released on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with Ghosi P.S. Case No. 22/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Jehanabad, subject to

the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

