

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27557 of 2015

Arising Out of PS.Case No. -108 Year- 2013 Thana -BELAGANJ District- GAYA

1. Manoj Yadav Son of Hardeo Yadav resident of Village- Khaira, P.s
Konch, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh

For the Opposite Party/s : Mr. Anil Kumar(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

6 30-11-2015 Supplementary affidavit has been filed on behalf of
the petitioner annexing copy of the injury report of the informant.
Keep it on the record.

Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 147, 148, 149 and 307 of the I.P.C and
section 27 of the Arms Act.

Allegedly, at first Tinku Kumar @ Randhir Kumar
fired but the informant caught hold his gun then the co-accused
Ramashish Yadav and the petitioner fired from their guns which
hit near the left eye of the informant and the other co-accused were
surrounding the informant but due to alarm being raised the
accused persons fled away.

Submission is of false implication due to enmity and that the allegation of firing is not specific. The injury caused to the informant is simple in nature though caused by fire arm. The petitioner is suffering in custody since 20.10.2014. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. submits that against the petitioner also there is allegation of firing.

In the facts and circumstances as stated above, considering that the injury found on the person of the informant is simple in nature and as such the he is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Gaya in Belaganj P.S. Case No. 108 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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