

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23816 of 2014

Arising Out of PS.Case No. -78 Year- 2013 Thana -SONBERSA District- SAHARSA

1. Sanjay Yadav Son of Ganeshi Yadav R/o Village Gajeepaita, P.S. Sonbarsa Raj, District Saharsa

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.27623 of 2014

Arising Out of PS.Case No. -78 Year- 2013 Thana -SONBERSA District- SAHARSA

1. Heera Yadav S/o Laxman Yadav resident of Village Jamhra, Police Station- Sonbarsa Raj, District- Saharsa.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.27647 of 2014

Arising Out of PS.Case No. -78 Year- 2013 Thana -SONBERSA District- SAHARSA

1. Bilash Yadav Son of Late Kamal Yadav Resident of village- Maruaha, O.P- Bharrahi, P.S+ District- Madhepura.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.23816 of 2014)

For the Petitioner : Mr. Ram Sumiran Rai

For the Opposite Party : Mr. Ahmad Ali (App)

(In Cr.Misc. No.27623 of 2014)

For the Petitioner : Mr. Satish Kumar Singh

For the Opposite Party : Mr. Bharat Lal(App)

(In Cr.Misc. No.27647 of 2014)

For the Petitioner : Mr. Shekhar Kumar Singh

For the Opposite Party : Mr. B.M.P Sinha(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 28-01-2015 Petitioners are languishing in custody since
01.10.2013, 31.10.2013, 30.01.2014 in a case registered for

the offences punishable under Sections 307, 341, 34 of the I.P.C and Section 27 of the Arms Act.

It is alleged that five named accused persons and three unknown surrounded the informant and his father. On the order of Ganeshi Yadav and Vijay Yadav, Vijay Yadav caught hold the motorcycle of the informant and Sanjay Yadav made indiscriminate firing causing injury on the chest and the lower part of the abdomen of the informant. Petitioner Bilash Yadav made two firing causing injury on the left palm of the informant.

It is submitted by learned counsel for the petitioners that for the occurrence of 03.06.2013 the First Information Report was registered on 05.06.2013. The initial injury report has not been brought on record by the I.O. This fact has not been controverted by learned A.P.P. Paragraph-11 of the case diary contains injury report issued by Dr. Vijay Shankar who appears to be a private Doctor who found two stitched wound on the chest.

It is submitted by learned counsel appearing on behalf of petitioner Bilash Yadav that accusation against him is causing injury on the left palm but no injury has been found on the left palm of the informant.

Considering the delayed lodging of the case and the fact that initial injury report of Sadar Hospital, Saharsa has not been brought on record during investigation by the I.O., let the petitioners, above named, be released on bail on

furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Adhoc Additional District & Sessions Judge-II/Chief Judicial Magistrate, Saharsa in connection with Sonbarsa Raj P.S. Case No. 78 of 2013.

Since the petitioners have serious criminal antecedents, learned Court below will positively cancel the bail bonds of the petitioners, if the petitioners get substantially involved in any further offence of serious nature or defaults for two consecutive occasions during trial.

(Dinesh Kumar Singh, J)

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