

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14368 of 2015

Arising Out of PS.Case No. -81 Year- 2014 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

=====

1. Anil Yadav S/o Raja Ram Yadav Resident of Village Harnaut behind the
Central Bank, P.S. Harnaut, District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Premchandra Yadav, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 03-07-2015 Heard learned counsels for the petitioner and the

State.

The petitioner is languishing in custody since
18.12.2014 in a case registered for the offences punishable under
sections 147/148/149/341/447/323/324/307 of the Indian Penal
Code and 27 of the Arms Act.

The prosecution case is that co-accused Rudal
Yaday was constructing a room on the ancestral land of the
informant when the informant made protest and asked him to get
the construction work done after getting the land measured, the
accused persons came variously armed with when Rudal Yadav
assaulted with 'farsa' on the head of the informant and this
petitioner fired from his rifle on the chest of Mantu Yadav.

It is submitted by learned counsel for the petitioner

that in the background of land dispute the accusation has been levelled against the petitioner. The injury report of PMCH contained in annexure-3 suggests the entry wound of 1 cm diameter 3 cm from mid sternum at nipple level but the opinion with regard to the injury has been directed to be obtained from the referring hospital. The injury report of PMCH further suggests that the injured was examined on 27.03.2014 and was discharged on 28.03.2014. The size of injury suggests that the injury was not caused by rifle. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid fact, let the above named petitioner 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 learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Harnaut P.S. Case No.81 of 2014.

Ashwini/-

(Dinesh Kumar Singh, J)

U		T	
---	--	---	--