

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36010 of 2015

Arising Out of PS.Case No. -112 Year- 2015 Thana -SIWAN MUFFASIL District- SIWAN

1. Jiwan Yadav S/o Sri Baburam Yadav Resident of village - Kandhwara
Tola Bazar, P.S. Barharia, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai

For the Opposite Party/s : Mr. A.Haque Sahara(App)

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

3 24-11-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offences
punishable under Section 307/34 of the Indian Penal Code and 27
of Arms Act.

Allegedly, the petitioner wearing helmet opened fire
upon the informant but his helmet fell down and the informant
identified the petitioner and further other co-accused also fired,
which did not hit the informant. Thereafter the miscreants started
fleeing away after opening fire which hit one Amrit Raj and the
local people saw the number of motorcycle, which is mentioned in
the written report.

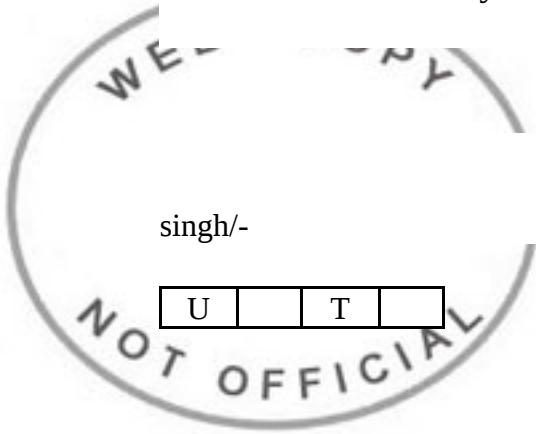
Submission is of false implication and that no injury has

been caused to the informant and another case has been lodged for shooting Amrit Raj, the petitioner has voluntarily surrendered on 21.4.2015 in Siwan Mufassil P.S.Case No. 117 of 2015 and was remanded in this case on 08.05.2015 and since then he is in custody, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail by submitting that with the help of dog, the place where the petitioner resides was raided and from there three loaded pistols, magazine and 10 live cartridges were recovered for which Mufasil P.S.Case No. 117 of 2015 has been lodged.

Considering the detention of the petitioner and further no injury has been caused to the informant, the petitioner, Jiwan Yadav, 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 learned C.J.M., Siwan in Mufassil (Mahadeva) P.S.Case No. 112/2015, G.R.No. 1189/2015, 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 also 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)