

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43410 of 2015

Arising out of PS.Case No. -79 Year- 2015 Thana -NIMCHAKBATHANI District- GAYA

Ajeet Yadav, Son of Chandradeo yadav@Chandeshwar Yadav, resident of Village kabirpur ,p.s Neemchak Bhathani District Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Durgesh Nandan, Advocate.

For the Opposite Party : Mr. Kanhaiya Kishore (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-11-2015 Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is languishing in custody since 22.05.2015 in connection with Neemchak Bathani P.S. Case No. 79 of 2015 for the offences instituted under Sections 341, 342, 323, 324, 325, 326, 307, 504/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 19.05.2015 at about 12.30 P.M., the petitioner alongwith co-accused Ranjeet Yadav, Dhanjay Yadav and Chandradeo Yadav were taking away the soil after digging out from the land of the informant through the JCB machine and were filling their own land. The informant objected to it, whereupon the accused persons including the petitioner started abusing and ran to assault the informant. The



husband of the informant came out from his house. Accused persons having arms chased him and surrounded the house of the informant. The petitioner started firing by his gun which hit the left thigh of Kajal Devi, the daughter of the informant and she sustained injury. Accused Dhanjay Yadav and Ranjeet also fired 5 to 6 round of their gun. The accused Chandradeo was armed with Lathi. He ran towards informant in furtherance of common intention of all to kill the informant and her husband. Thereafter, the informant and other entered into room in order to save their life. Villagers came and accused persons went away.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 22.05.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. The petitioner has falsely been implicated in the present case. There is an admitted land dispute between the parties. The injury is said to be on non-vital part of the body.

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 above named, 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 the learned J.M. Ist Class, Gaya,
in connection with Neemchak Bathani P.S. Case No. 79 of 2015.

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(Sudhir Singh, J)

