

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25132 of 2015

Arising Out of PS.Case No. -214 Year- 2013 Thana -NAYA RAM NAGAR District- MUNGER

1. Uttam Yadav son of Sikandar Yadav, resident of Mohalla- Heru Diyara,
P.s. Kasim Bazar, District Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Nitya Nand Tiwary (App)

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

4 07-10-2015

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 341, 307 and 120 (B) of the I.P.C and
section 27 of the Arms Act.

Allegedly, the petitioner and two other F.I.R. named
accused persons riding on a motorcycle surrounded the informant
and the petitioner touched pistol at the temporal region of the
informant and caused threats to take revenge and opened fire and
then the informant started fleeing away and thereafter both also
opened fire resulting he fell down by the side of the road in water
and the miscreants thinking him dead fled away.

Submission is of false implication and that no injury
has been found on the temporal region and further shot from close

range as there is no blackening or charring. The other accused have already been allowed bail. The petitioner cannot be attributed that the injury found on the person of the informant is the act of the petitioner and he is suffering in custody since 26.08.2014, 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, to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner 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. Munger in Naya Ram Nagar (Safiyabad) P.S. Case No. 214 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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