

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40337 of 2015

Arising Out of PS.Case No. -207 Year- 2014 Thana -SALKHUA District- SAHARSA

Hareram Yadav, S/o Lalo Yadav, resident of Kabira, P.O. Chiraih, P.S. Salkhua, Distt. - Saharsa (Bihar)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Karuna Kant Jha, Advocate.

For the Opposite Party : Mr. Ram Chandra Sahni(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-12-2015 Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is languishing in custody since 15.05.2015 in connection with Salkhua P.S. Case No. 207/2014, corresponding to G.R. No. 2753/2014 for the offences instituted under Sections 147, 148, 149, 307, 504, 506 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 19.10.2014 at PACCS Gudam Kavira when the informant was returning having served water to the polling agent, his villager Vijay alias Vijal Yadav came there together with 10-12 other persons in which the informant identified two persons and all have possessed with weapons. He further states that Vijal Yadav directed the petitioner



that the nephew of enemy is going shoot him and the petitioner shoot him which cause hit in his right leg and he fell down. He further stated that Shushil Kumar, S/o Ram Ratan Yadav, resident of Khutmna Dist- Samastipur, who is the brother-in-law of this petitioner fired which caused injury to Kamelshwari Jha S/o Vidya Jha, resident of Begusarai, and he also fell down after that his uncle Aman Raj Dev taken them to Saharsa Sadar Hospital for treatment.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 15.05.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering of the evidence against the petitioner. It is a case and counter-case. It is alleged that the petitioner has given single blow which hit on the leg of the victim. No injury has been caused on the vital part of the body by the petitioner. Other co-accused has been granted bail by this Court vide Cr. Misc. No. 51474/2014.

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,
Saharsa, in connection with Salkhua P.S. Case No. 207/2014.

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(Sudhir Singh, J)

