

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6710 of 2016

Arising Out of PS.Case No. -623 Year- 2015 Thana -BHABHUA District- BHABHUA (KAIMUR)

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Goutam Yadav Son of Nirhu Yadav @ Lakshman Yadav resident of village
- Saitha, P.S. Sonhan, District - Kaimur at Bhabhua

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Sufiyan (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 23-05-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in jail custody since
21.01.2016 in connection with Bhabua P.S. Case No. 623 of 2015
registered for the offences punishable under Sections 341, 323,
324, 326 and 307/34 of the Indian Penal Code.

The prosecution case, in brief, is that while the
informant was going to irrigate his field and reached near the
temple, petitioner on instigation by accused Nirahu Yadav, fired
on him causing injuries on his left leg and thigh, as a result of
which he fell down and thereafter his family members came to the
place of occurrence and took him to the hospital. The occurrence
is alleged to have taken place due to land dispute.

It has been submitted by the counsel for the petitioner that petitioner is innocent, has committed no offence and no case under Section 307 of the Indian Penal Code is made out against him. He further submits that due to land dispute, which is evident from the First Information Report itself that this allegation has been made against the petitioner. He further submits that the fire-arm injuries have been caused on the legs of the informant and not on vital part of the body, as is evident from the injury report. He further submits that petitioner has home in the village and there is no chance of tampering with the evidence and absconding.

However, learned A.P.P. for the State submits that many witnesses have supported the prosecution case, hence, opposes the prayer for bail.

Be that as it may, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua P.S. Case No. 623 of 2015.

(Nilu Agrawal, J.)

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