

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49368 of 2015

Arising Out of PS.Case No. -29 Year- 2015 Thana -BAKHTIYARPUR District- PATNA

1. Naulesh Yadav @ Dhuri Yadav @ Naulej Yadav son of Punai Yadav
resident of village - Champapur, P.S. - Bakhtiyarpur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Anil Kumar Singh (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 02-02-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Bakhtiyarpur P.S.
Case No. 29 of 2015 registered for the offences punishable under
Sections 307, 120B/34 of the Indian Penal Code and Section 27 of
the Arms Act.

Allegedly, the petitioner and other co-accused being
armed came, started chasing the informant, the petitioner fired
which hit in his leg and in the back, resulting, the informant fell
down and was brought to hospital.

Submission is of false implication due to land dispute,
the informant in his further statement vide paragraph 16 of the
case diary has specifically stated that the firing made by the



petitioner hit in his leg and firing made by co-accused Guddu Yadav hit in his back and two injuries have been found by the doctor on the person of the informant and that Guddu Yadav has already been allowed bail by another co-ordinate Bench of this Court vide Cr. Misc. No. 22845 of 2015 and the petitioner is suffering in custody since 03.03.2015, chargesheet has already been submitted and there is no chance of tampering with prosecution evidence.

Learned APP fairly submits that the informant in his further statement has specifically stated that the shot fired by the petitioner hit in his leg.

In the facts and circumstances stated above, considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II, Barh, Patna in Sessions Trial No. 372 of 2015 arising out of Bakhtiyarpur P.S. Case No. 29 of 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 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.

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(Jitendra Mohan Sharma, J)