

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55009 of 2015

Arising Out of PS.Case No. -93 Year- 2014 Thana -BIHARIGANJ District- MADHEPURA

Sunil Yadav son of Bhupendra Yadav Resident of village - Rahi Jagatpur,
Police Station - Bihariganj, District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha, Advocate

For the Opposite Party/s : Mr. A.L.Pandit(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 14-09-2016

Heard learned counsel for the petitioner
and the State.

Petitioner is languishing in custody since
28.10.2014 has renewed his prayer for bail in a case
registered for the offences punishable under Sections 341,
323, 307, 504/34 of the Indian Penal Code and 27 of the
Arms Act.

The prosecution case is that the accused
persons started abusing the informant. On protest being
made, the petitioner fired from pistol on informant, causing
injury on the right knee.

It is submitted by the learned counsel for the



petitioner that there is no accusation of repeating the shot. For the occurrence of 20.06.2014, the injured was examined for the first time on 20.06.2014 at Primary Health Centre, Bihariganj which suggests two injuries, one is fire-arm injury over the right knee joint and the second is massa over right chest. It appears that about five months of the occurrence on 15.11.2014 the Medical Officer of Primary Health Centre, Bihariganj treated the injuries as grievous. It is further submitted that the own developed gangrene causing injury cannot be attributed to the assault made by the petitioner. Moreover, the earlier bail application was rejected. The petitioner is accused in one other case apart from the present case being Bihariganj Police Station Case No. 52 of 2014, registered under Sections 341, 342, 323, 324, 379, 504, 506/34 of the Indian Penal Code, wherein the petitioner has been released on bail. Statement to that effect has been made in para-3 of the petition. The report of the learned court below suggests that though the charges have been framed. The case was committed on 15.03.2016, but no witness has been examined. In view of the above fact, there is no likelihood of trial being concluded in near future.

Considering the aforesaid facts, let the above named petitioner, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class,

Udakishanganj, Madhepura in connection with Bihariganj P.S.
Case No. 93 of 2014.



(Dinesh Kumar Singh, J)