

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51631 of 2016

Arising Out of PS.Case No. -106 Year- 2016 Thana -MUNGER MUFFASIL District- MUNGER

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Prabin Yadav, Son of Nityanand Yadav, resident of Village- Tikarampur,
P.S.- Muffasil, District- Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Suman Kumar Mishra, Advocate
For the Opposite Party/s : Mrs. Asha Kumari, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
26.07.2016 in connection with Muffasil P.S. Case No. 106 of 2016
registered for the offence punishable under Sections 307, 379 and
other allied sections of the Indian Penal Code.

The prosecution case is that on 04.06.2016 at about
01:30 A.M. while the informant along with his family members,
after hearing firing sound, came out of his house, accused
Nityanand Yadav ordered to kill the informant upon which this
petitioner fired which hit daughter of the informant, as a result of
which she fell down. Accused Baleshwar Yadav also fired which
hit son of the informant. Thereafter, accused persons also



assaulted other family members, including the informant.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He further submits that the injury alleged to have been caused by the petitioner on the person of the daughter of the informant is on the left arm, which is not a vital part of the body. He further submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since charge-sheet has already been submitted and there is only one old case of the year 2007 against the petitioner in which he is on bail, 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 the learned Sub-Divisional Judicial Magistrate, Munger in connection with Muffasil P.S. Case No. 106 of 2016.

(Nilu Agrawal, J.)

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