

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7402 of 2016

Arising Out of PS.Case No. -159 Year- 2015 Thana -BARBIGHA District- SEKHPURA

1. Ram Pravesh Yadav Son of Sri Kamleshwar Yadav, Resident of Village-
Lachhmipur, P.S. - Barbigha Keoti O.P., District - Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Malay Kumar Choudhary

For the Opposite Party/s : Mr. B.N.Pandey(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 12-04-2016

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offences punishable under sections 448, 323, 324, 307/34 of
the Indian Penal Code and Section 27 of the Arms Act.

Allegedly the petitioner opened fire with Pistol
upon Vijay Yadav which hit in his chest and he fell down.

Submission is of false implication, it is alleged
that due to dispute between the children the occurrence has taken
place, there was no intention to commit murder, there is no
allegation that the petitioner repeated the blow of firing, the injury
found on Vijay Yadav is also not mentioned in the injury report
and further his statement has not been recorded by the police. The

petitioner is in custody since 25.11.2015.

Learned A.P.P assisted by the learned counsel for the informant opposed the prayer for bail by submitting that statement of Vijay Yadav was taken at P.M.C.H. in the Emergency Ward and on his chest fire arm injury was found and as such the petitioner does not deserve bail.

In the facts and circumstances stated above, the petitioner above named is directed to be enlarged on bail after completion of **nine months in custody** on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Sheikhpura in connection with Barbigha (Kewati) P.S. Case No. 159 of 2015.

(Jitendra Mohan Sharma, J)

Amin/-

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