

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12746 of 2016

Arising Out of PS.Case No. -487 Year- 2015 Thana -NAUBATPUR District- PATNA

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Punnu Yadav @ Dharmendra Kumar Son of Rang Nath Yadav, Resident of
Village- Nawahi, P.S. Naubatpur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Ram Shankar Das (Spl.Pp)

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

3 05-05-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

The petitioner seeks bail in connection with Naubatpur
P.S. Case no. 487/15 registered for the offences punishable under
Sections 341, 323, 307, 325, 34 of the Indian Penal Code and 3(1)
and (X) S.C. and S.T. Act and 27 of the Arms Act.

Allegedly, on the order of co-accused Shrinath Yadav
the petitioner shot Subhash Paswan the son of the informant and
then he was brought to Naubatpur hospital from where he was
referred to P.M.C.H.

Submission is of false implication and that no offence
under Section 307 I.P.C. is made out, there is no allegation that the
petitioner repeated the firing. There was no intervening

circumstance. The petitioner is in custody since 11.08.2015 and now he has been sufficiently panelized. Charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes prayer of bail by submitting that the opinion regarding injuries was kept reserved which is still not available and the witnesses have supported the prosecution version.

In the facts and circumstances as stated above, the petitioner shall be released on bail after completion of nine months in custody from date of his remand on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Kumar Madhurendru the learned Judicial Magistrate Ist Class, Danapur in connection with Naubatpur P.S. Case no. 487/15 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.

(Jitendra Mohan Sharma, J.)

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