

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9423 of 2016

Arising Out of PS.Case No. -230 Year- 2015 Thana -DELHA District- GAYA

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Pappu Yadav, Son of Rambalak Yadav, resident of Mohalla- Khakhura,
Bhaluahi, Brahma Asthan, P.S.- Delha, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Kameshwar Singh, Advocate

For the Opposite Party : Mr. Veena Kri. Jaiswal, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-02-2016 Heard the learned senior counsel Mr. Krishna Prasad

Singh for the petitioner and the learned APP for the State.

Petitioner is in judicial custody since 04.01.2016 for
offences alleged under Sections 324, 341, 307/34 of the IPC and
27 of the Arms Act in connection with Delha P.S.Case No.230 of
2015.

The prosecution case is that on 11.11.2015 at 17.00
hours one Sri Pankaj son of Ram Pratap Sharma, village-
Deodharpur, P.S.-Tekari, District-Gaya gave his fardbeyan at
Palmview Hospital Patna before Police alleging therein that he
presently resides as a renter in the house of Santosh Kumar at
Tulsi Colony Kharkhura. It is further alleged that on 08.11.2015 at
about 4.30 hours, Pintu Kumar and Kunal Goswami residing in



same Mohalla said that Laddu Singh called them at Devi Asthan, Railway colony Kharkhura to return the amount of the land. All three persons reached there and saw that Laddu Singh, Pappu Yadav and 4-5 persons were present and were taking about the amount of Rs.710000/- of the land, on which they were unable to give money at that time, and prayed for one month time. On this Kunal Goswami said that he is in service in army and asked to return the money in two days time, Some dispute arose, then they returned to their houses. It is further alleged that they were then informed that money has been arranged whereupon they came at the Baithaka of Pappu Yadav. There Laddu Singh, Pappu Yadav, 4-5 persons stating abusing them. Pappu Yadav armed with country made pistol came and his renter caught him and Pappu Yadav fired upon him, causing injury on his hand and shoulder and fell. Then Pappu Yadav fired two rounds which did hit any person. The Mohalla people brought him at his house by the motorcycle, then his family members had taken him to ANMMCH, Gaya and PMCH, Patna and then to Palm View Hospital, Patna.

It has been submitted by learned counsel for the petitioner that the petitioner is innocent, having not committed any offence and also with clean criminal history. It is further submitted

that the matter arises out of land dispute being civil in nature and a false case has been instituted against him in order to put pressure. It has further been submitted that the injury as stated by the informant is on the left hand for which he was treated in various hospital and discharged from Palm View Hospital, Patna.

However, the learned APP opposes the prayer for bail and stated that the petitioner is named in the FIR.

Be that as it may, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, 7th, Gaya in connection with Delha P.S.Case No.230 of 2015.

(Nilu Agrawal, J)

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