

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45423 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -NOKHA District- SASARAM (ROHTAS)

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Arun Yadav, Son of Kamta Yadav, Resident of village - Kadwa, Police
Station Nokha, District - Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rahul Nath, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 30-11-2016

Heard learned counsel for the petitioner, learned

APP for the State and learned counsel appearing for the informant.

Petitioner is languishing in custody since
29.08.2016 in connection with Nokha P.S. Case No. 02/16 for
offences punishable under Section 307 and other allied Sections of
the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the informant,
is that while he was watering the wheat crop in his field, the
petitioner along with others came and petitioner fired from his
rifle hitting the hand of his nephew Dinesh Kumar @ Dinesh
Yadav. Some money was also snatched from the pocket of one of
the informant side.

It has been submitted by the learned counsel for
the petitioner that both parties are on inimical terms and

altercation between both sides took place for which he has also lodged Nokha P.S. Case No. 01/16 wherein it has been submitted that the injury on Dinesh Kumar @ Dinesh Yadav was from the informant side only. He submits that the injury from the fire-arm, which has been alleged to have caused by the petitioner, is on the hand, hence, it is on the non-vital part of the body.

Learned counsel for the informant submits that the petitioner caused injury to Dinesh Kumar @ Dinesh Yadav by fire-arm, which hit on his hand, for which opinion is reserved, hence, vehemently opposes the prayer for bail.

However, learned APP 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 both sides have received injuries, lodged case and counter-case and considering the injury report, let petitioner, above named, be enlarged 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 Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Nokha P.S. Case No. 02/16.

(Nilu Agrawal, J.)

Rajesh/-

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