

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34183 of 2017**

Arising Out of PS.Case No. -96 Year- 2015 Thana -NATHNAGAR District- BHAGALPUR

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1. Rajesh Yadav S/o Late Ashu Yadav Resident of Village-Gosaidaspur,  
P.S. Nathnagar District Bhagalpur

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dhananjay Kumar Pandey

For the Opposite Party/s : Mr. Satyendra Prasad

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

4      18-09-2017                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner is languishing in judicial custody since  
27.11.2016 in connection with Nathnagar P.S. Case No. 96/15 for  
offences punishable under Section 307/34 of the Indian Penal  
Code and 27 of the Arms Act.

The prosecution case, as lodged by the informant, is  
that while he was standing on the road petitioner along with men  
of Jawahar Yadav and Raj Kumar Mandal came, a fight started  
between them on which the petitioner opened fire, which hit the  
informant on his back.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case because of being on inimical terms, as one of the co-accused had lodged Nathnagar P.S. Case No. 97/15 under Section 307 of the Indian Penal Code against the informant. He submits that charge-sheet has already been submitted, there is no allegation of tampering of the prosecution witnesses by the petitioner and as per the injury report the informant had been discharged from the hospital and referred to Jawaharlal Nehru Medical College Hospital, but no further report has come.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, 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 1<sup>st</sup> Addl. Sessions Judge, Bhagalpur, in connection with Nathnagar P.S. Case No. 96/15, subject to the condition that both the bailors would be close relatives of the petitioner.

**(Nilu Agrawal, J)**

Rajesh/-

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