

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28082 of 2017

Arising Out of PS.Case No. -20 Year- 2017 Thana -BIHIYA District- BHOJPUR

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Ajit Yadav, Son of Mahavir Yadav, Resident of Village- Maniyara, P.S.-
Tiyar, District- Bhojpur.

..... Petitioner

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate.
For the Opposite Party : Mr. Parmeshwar Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Bihiyan P.S. Case No. 20 of 2017 for the offences instituted
under Sections 147, 148, 149, 341, 307, 120(B) of the IPC and 27
of the Arms Act.

The prosecution story, in brief, is that on 20.01.2017 at
about 11.00 A.M., the informant was on patrolling duty in his
local area. He heard a noise on gun shot. He went there. There
were two groups. Seven persons namely, Anil Yadav, Ajit Yadav,
Vikash Yadav, Yogendra Yadav, Sikandar Yadav, Santosh Yadav
Hirdya Yadav with other 4 to 5 persons in one side and Barak
Kuswaha Chhotak Kushwaha, Krishna Yadav, Buchan Yadav,



Muna Ojha, Udai Ojha, Manoj Mahto, Rama Shankar Yadav and 3 to 4 persons others were firing upon each other due to previous enmity. After a few time he saw that Arjun Ram son of Sarju Ram had sustained fire arm injury and he fell down. He informed this fact to the O.C. and he reached there and sent that person to the hospital. Accused persons fled away and when it was interrogated it was found that there was 35 fired cartridges was in the side of Anil Yadav and 8 plastic cartridges was in the side of Barak Kuswanar. Hence, this F.I.R.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. General and omnibus allegation has been made against the petitioner. No specific injury has been attributed against the petitioner. The alleged occurrence is said to have taken place due to land dispute.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Bihiyan P.S. Case No.



20/2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 5th A.C.J.M., Bhojpur at Ara, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

