

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52013 of 2018

Arising Out of PS. Case No.-162 Year-2018 Thana- KONCH District- Gaya

=====

Panjabi Yadav S/o Sri Sudama Yadav @ Kallu Yadav, R/o Vill.- Garari , P.S.-
Konch, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh

For the Opposite Party/s : Mr. Sri Shantanu Kumar

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 20-09-2018 Heard learned counsel for the petitioner. No one
appears for the State.

The petitioner in this case is seeking regular bail in connection with Konch P. S. Case No. 162 of 2018 registered for the offences punishable under Sections 341, 323, 307, 447, 448, 376, 511, 506 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that as per allegation, this petitioner had entered in the house of the informant and closed the door. It is alleged that this petitioner started pulling Saari of the informant and told her that he would outrage her modesty on which the informant started shouting and thereupon her father-in-law came, thereupon the petitioner left the informant and pulled out his pistol from the waist. The



informant allegedly opened the door and found that her father-in-law was there. It is alleged that this petitioner pushed down the father-in-law on earth and put the pistol on his chest, it is alleged that the firing passed away. The allegation is that the petitioner went away giving threat to her father-in-law.

Learned counsel for the petitioner submits that this is a case of false implication and the entire story is based on mere imagination as no such occurrence has taken place. It is submitted that no offence under Section 376 IPC would be attracted in the facts and circumstances alleged. It is further submitted that there is no allegation of causing injury or assault by firearm weapon. It is further submitted that there is no eye witness and independent witness in this case. It is also stated that even the statement of the victim under Section 164 Cr.P.C. was not recorded.

In the given facts and circumstances of the case, considering that the petitioner has got no criminal antecedent and the kind of allegations against the petitioner, for the present, is not alleging that there was any injury to any person from any firearm, let the petitioner Panjabi Yadav be released on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of



learned A.C.J.M. 3rd, Gaya in connection with Konch P. S. Case
No. 162 of 2018, subject to the condition as laid down under
Section 437(3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

avin/-

U		T	
---	--	---	--

