

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28176 of 2018

Arising Out of PS.Case No. -27 Year- 2018 Thana -NOORSARAI District- NALANDA
(BIHARSHARIFF)

=====

Sanjay Yadav S/o Nathun Yadav Resident of Village - Kakaria, P.S. -
Noorsarai, District - Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1

For the Opposite Party/s : Mr. Sri Sanjay Kumar Pandey

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Noor Sarai P.S.
Case No. 27 of 2018 for offences punishable under Sections 341,
323, 504, 307/34 of the Indian Penal Code and Section 27 of the
Arms Act.

The prosecution case, as lodged by the informant, is
that earlier one day back there was altercation, abuses between the
petitioner and informant's side and on the next day while her
husband Sanjit Yadav came after having attending marriage
ceremony, the petitioner along with three others came and abused



her husband whereupon Banti Yadav open fire and hit Sanjit Yadav for which he was referred to high specialties at P.M.C.H. Patna.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and allegation is upon one co-accused Banti Yadav. The petitioner was one of the mob and no firearm however, was possessed by the petitioner hence, Section 27 of the Arms Act would not be applicable against the petitioner. He submits that he has caused no injury on Sanjit Yadav and is languishing in judicial custody since 27.02.2018.

However, learned APP for the State opposes the prayer for bail stating therein that the injury on Sanjit Yadav has been found to be serious in nature and is undergoing treatment at P.M.C.H., Patna.

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 Chief Judicial Magistrate, Nalanda, Bihar Sharif in connection with Noor Sarai P.S. Case No. 27 of 2018, subject to the condition



that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Devendra/-

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

