

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39051 of 2018

Arising Out of PS. Case No.-162 Year-2018 Thana- BUXAR District- Buxar

Sonu Yadav @ Vinod Yadav, Son of Suryanath Yadav, Resident of Village-
Sohanipatti, P.S.- Buxar (Town), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh
For the Opposite Party/s : Mr. Rajkishore Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-07-2018 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody since 05.06.2018 in connection with Buxar (Town) P.S. Case No. 162 of 2018 (G.R. No. 997 of 2018) registered for the offence punishable under Sections 147, 148, 149, 353, 307 of the Indian Penal Code and Section 27 of the Arms Act and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that in the instant case petitioner was not named as an accused. Three persons and the owner of the vehicle bearing registration No. BR44A- 8488 were specifically made accused in the F.I.R. Learned counsel for the petitioner further submits that petitioner was not owner of the aforesaid vehicle. In the instant case no



one has sustained injury and as such there is no case under Section 307 is made out. The case was registered only on the ground that police heard sound of firing that is why Section 307 I.P.C. levelled in this case. The name of the petitioner surfaced in this case at subsequent stage on disclosure of the witnesses who were arrested. Petitioner is in judicial custody in this case since 5.6.2018.

Considering the fact that petitioner was not named accused in the instant case and no one sustained firearm injury, let the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Additional Sessions Judge II-cum- Special Judge, Excise Act, Buxar in connection with Buxar (Town) P.S. Case No. 162 of 2018 (G.R. No. 997 of 2018).

(Anil Kumar Upadhyay, J)

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