

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23607 of 2018

Arising Out of PS.Case No. -972 Year- 2017 Thana -BIHTA District- PATNA

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1. Dhananjay Yadav @ Dhananjay Kumar, Son of Rajnandan Yadav,
resident of Village- Dilabarpur, Police Station- Bihta, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2,Adv.

For the Opposite Party/s : Mr. Sri Nand Kishore Pd,A.P.P

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

4 11-06-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking regular
bail in connection with Bihta P.S. Case No.972 of 2017, registered
for offences alleged under Sections 147, 148, 149, 341, 323, 326,
307, 337 and 504 of the Indian Penal Code and Section 27 of the
Arms Act.

Learned counsel for the petitioner submits that as per
allegations made in Annexure-1 this petitioner is said to have fired
indiscriminately which hit Amod Yadav and Arvind Yadav and
they suffered injuries. Learned counsel submits that from perusal
of Annexure-2 it will appear that this petitioner had also lodged a
First Information Report which was prior in time for the same



occurrence wherein he was assaulted by the informant of Annexure-1 and his parties. It is submitted that this petitioner was also admitted in hospital for treatment from where he was arrested. Learned counsel submits that on perusal of Paragraph-50 of the case diary which has been referred by the learned Single Judge while rejecting the prayer of regular bail of the petitioner, it would appear that the injury report has been manufactured only at a later stage as there is no description of the injuries in Paragraph-50 of the case diary. The nature of injury is stated to be grievous but except that nothing more is stated. The injured were discharged from the hospital on 09.12.2017 as is apparent from Paragraph 50 of the case diary.

Learned APP for the State is present and has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, particularly the nature of dispute, the parties are co-villagers and there is a case and counter case besides that the petitioner has no criminal antecedent and has remained in custody for more than 6 months by now, let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-1st, Danapur, Patna



in connection with Bihta P.S. Case No.972 of 2017, subject to the
conditions U/S 437(3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

Arvind/-

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