

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29048 of 2018

Arising Out of PS. Case No.-27 Year-2018 Thana- NOORSARAI District- Nalanda

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1. Chintu Kumar, S/o Anil Yadav.
2. Nandu Yadav, S/o Nathun Yadav.

... .. 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 MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 10-05-2018 Learned counsel for the petitioners submits that petitioner no. 1, Chintu Kumar, has been arrested by the police, so he seeks permission to withdraw this application with regard to petitioner no.1.

Permission is accorded.

Accordingly, this application is dismissed as withdrawn with regard to petitioner no.1.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioner no. 2 apprehends his arrest in connection with Noor Sarai P.S. Case No. 27 of 2018 registered under Sections 341, 323, 504 and 307/34 of the Indian Penal Code.

The accusation is that Sanjit Yadav, husband of the informant, was sitting at the Dalan of Sita Ram Yadav after taking the



dinner of marriage party, where Banti Yadav, Chintu Kumar Yadav, petitioner and Nandu Yadav came and started to abuse. At that time, Banti Kumar Yadav, opened fire through Katta causing injury at Sanjit Yadav, who was rushed to the Sadar Hospital, from where, he was referred to P.M.C.H.

Learned counsel for the petitioners submits that while petitioner no.2 is named in the F.I.R. but no specific overt act has been attributed against him, as there is specific allegation against co-accused, Banti Yadav, to shot fire at Sanjit Yadav, husband of the informant. Further submission is that petitioner nos. 2 has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner no.2 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, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda, Bihar Sharif, in connection with Noor Sarai P.S. Case No. 27 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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