

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13519 of 2019

Arising Out of PS. Case No.-206 Year-2018 Thana- KHAGARIA District- Khagaria

Rajendra Yadav aged about 46 years (M) son of late Anik Yadav, resident of village, Barkhandi tola, P.S- Khagaria Muffasil, Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

4 21-05-2019 Heard learned counsel for the petitioner and learned counsel for the informant as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 302, 448 of the Indian Penal Code and 27 of the Arms Act.

Altogether 23 persons including petitioner are named in the first information report and there is specific allegation against this petitioner that he opened fire causing firearm injury on the hand of injured Deepak Yadav. The injury report of Deepak Yadav is available in the case diary which goes to show that injured Deepak Yadav sustained grievous injury on his hand. So far as deceased is concerned, it is F.I.R named accused



Anuj Yadav, who shot fire on the deceased.

Submission on behalf of the petitioner is that on 08.12.2017, it was prosecution party who opened fire on the petitioner as a result whereof petitioner sustained firearm injury on his back for which petitioner lodged Khagaria Muffasil P.S.Case No. 866 of 2017 against the prosecution party.

Learned counsel for the petitioner submits that as a matter of fact, petitioner was not in a position to move and he has been implicated in this case to put pressure upon him so that he could not depose in Khagaria Muffasil P.S.Case No. 866 of 2017. It is further submitted that the petitioner is in jail custody since 06.09.2018 and the investigation against him has already been completed.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Khagaria Muffasil P.S. Case No. 206 of 2018.

N.K/-

(Hemant Kumar Srivastava, J)

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