

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34344 of 2019

Arising Out of PS. Case No.-19 Year-2019 Thana- RAJGIR District- Nalanda

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SANJAY YADAV @ SANJAY KUMAR Son of Rajeshwar Prasad Resident
of Village- Pachamba, Police Station- Nimchak Bathani, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Mishra

For the Opposite Party/s : Mr.Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-08-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Rajgir P.S.Case No.19 of 2019, registered for offences punishable under Sections 147, 148, 149, 307, 379, 325, 504 of the Indian Penal Code Section 27 of the Arms Act.

Prosecution story is that the informant was constructing a new hotel in that the plaster work was going on, in the meantime, the accused persons along with 10-15 other accused persons came and started firing and the petitioner is also named in the FIR. Further allegation is that one Dheeraj Yadav assaulted by *Farsa* on his head and further allegation against this petitioner is that he has snatched a golden chain and Rs.25/- from the pocket of his brother.



Submission of the learned counsel for the petitioner is that there is general allegation of firing against the petitioner and the specific allegation is only of snatching chain and took Rs.25/-. As a matter of fact there is dispute between the parties with respect to land and the petitioner has been implicated in this case only because he is maternal uncle of the other co-accused persons and he has no criminal antecedent also as well as no fire arm injury was found on the person of the informant, which will appear from the impugned order rather there is fire cutting injury on the scalp and , abrasion on right pinna and bruise with dwelling over left elbow .

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Nalanda at Bihar Sharif in connection with Rajgir P.S. Case No.19 of 2019, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.



With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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