

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34669 of 2019

Arising Out of PS. Case No.-26 Year-2019 Thana- CHHATAPUR District- Supaul

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1. SUBHASH YADAV Son of Sadanand Yadav Resident of Village - Mohammad Ganj, P.S.- Chhatapur, District- Supaul
 2. Balkrishan Yadav Son of Sadanand Yadav Resident of Village - Mohammad Ganj, P.S.- Chhatapur, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Choudhary

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-05-2019 Heard learned counsels for the parties.

The petitioners are languishing in custody since 08-02-2019 in a case registered for the offences punishable under Section 307 of the I.P.C. and Section 27 of the Arms Act.

It is alleged against the petitioner that in the background of land dispute, he fired at the chest of Yogendra Yadav.

It is submitted by learned counsel for the petitioner that the informant is not the eye-witness to the occurrence and in the background of land dispute, the accusation has been levelled against the petitioners. However, injury report suggests one injury of marginal size with charring of skin on the left side of chest. It is further submitted that the informant has retracted



from the initial version and has filed a petition to that effect, as contained in Annexure-2 before the learned court below. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that there is specific accusation against the petitioner in the F.I.R.

Considering the fact that the accusation has been levelled in the background of land dispute and the informant has retracted from the initial version, the period in custody, coupled with the fact that the petitioners are not having any criminal antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM IV, Supaul in connection with Chhatapur P.S. Case No.26 of 2019.

(Dinesh Kumar Singh, J)

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