

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39976 of 2019

Arising Out of PS. Case No.-85 Year-2019 Thana- KARJA District- Muzaffarpur

SHAKTI SUMAN @ MUNNA YADAV, Son of Balram Rai Resident of
Village - Raksa, P.S.- Karja, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-06-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Karja Police Station Case No. 85 of 2019, disclosing offences under Sections 147/148/149/341/323/307/504/448/452/427/379/506 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner is that he along with other came to the house of the informant and the petitioner fired upon the informant, but the bullet did not hit him.

Learned Counsel for the petitioner submits that the petitioner is innocent and the alleged two empty cartridges have not been recovered by the police; rather, the same have been produced before the police by the father of the informant, who is



also a seizure list witness. He further submits that there is no allegation of any injury being caused by the petitioner and the injury caused by the other co-accused persons was simple in nature and they have been granted anticipatory bail by the Court below itself. He further submits that the reason behind lodging of the present false case is that the petitioner had purchased a piece of land from the sister of the informant, against his will.

After having heard learned Counsel for the parties and considering the fact that two empty cartridges have not been recovered by the police, but the said cartridges were produced before the police by the father of the informant and the petitioner has not caused any injury to the informant by the fire arm, this application is allowed.

Let the petitioner, Shakti Suman @ Munna Yadav, in the event of his arrest or surrender before the Court below within four weeks, 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 learned Additional Chief Judicial Magistrate II, West, Muzaffarpur, in connection with Karja Police Station Case No. 85 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall



present himself before the police/Court, as the case may be, as
and when required and in the event of failure on his part to
appear before the Court on two consecutive occasions, his bail
bond shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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