

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66434 of 2018

Arising Out of PS. Case No.-110 Year-2018 Thana- SIMRI District- Darbhanga

Vijay Yadav Son of Late Radhey Yadav @ Late Rade Kishan Yadv Resident
of Village-Chandi, P.S. Bahadur, Distt.-Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Satyavarat Verma, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 21-01-2019 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147/148/341/326/307 of the Indian Penal Code and Section 27 of the Arms Act.

According to FIR, the petitioner allegedly assaulted with the butt of the pistol causing injury near the nose of the informant. Allegation of commission of fire-arm injury at the stomach is against Shivam. Before the police the informant in his further statement and other witnesses stated that in fact Vijay Yadav had fired causing injury at the thigh of the



informant.

Submission of the learned counsel for the petitioner is that the improvement at subsequent stage makes the prosecution case doubtful because the doctor has not found any injury at the thigh of the informant. Petitioner has got no criminal antecedent.

Learned counsel for the informant as well as learned Additional Public Prosecutor for the State opposed the prayer for bail on the ground of statement of the witnesses before the police.

Considering the fact that two statements have come against the petitioner pitching against each other, hence, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court-below where the case is pending in connection with Simri Police Station Case No. 110 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which



the court below shall be at liberty to cancel the bail bond of
the petitioner.

(Birendra Kumar, J)

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