

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77679 of 2018

Arising Out of PS. Case No.-207 Year-2018 Thana- WARISLIGANJ District- Nawada

Preman Yadav @ Pramen Yadav S/o Dawarika Yadav, R/o Vill.- Kathokri,
P.S.- Warisaliganj, District- Nawada.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 12-04-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 147/148/149/341/ 323 / 307/302 of the Indian Penal Code and Section 27 of the Arms Act.

According to FIR, out of 23 named accused persons, four including the petitioner fired at the informant as well as at his nephew Ranjeet Kumar. Ranjeet Kumar died at the spot and informant allegedly sustained fire-arm injury at his head, left hand and left leg.

Submission of learned counsel for the petitioner is that petitioner is in custody since 26.06.2018. Allegation is not



specific nor the doctor had found any fire-arm injury on the person of the informant which create serious doubt regarding presence of the informant at the time of occurrence.

Learned counsel for the informant opposed the prayer on the ground that similarly situated co-accused Ranjeet Yadav, Sanoj Yadav and Manohar Yadav against whom there was allegation of firing were refused bail by different coordinate Benches of this Court with liberty to renew the prayer after completion of one year of custody if the trial is not concluded in the meantime.

Contention of the petitioner is that orders passed by the coordinate Benches would reveal that this was not brought to the notice of the Court that no fire-arm injury was there on the person of the informant; rather three incised wounds and some swellings were found which the informant might have sustained in different occurrence.

Considering the aforesaid without disclosing the mind on the merit of the case, let the petitioner, above named, 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 learned Court-below where the case is



pending in connection with Warisaliganj P.S. Case No.207 of 2018, with condition that petitioner shall fully cooperate with the investigation 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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