

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71310 of 2019

Arising Out of PS. Case No.-656 Year-2019 Thana- MADHEPURA District- Madhepura

PINTU YADAV @ PINTU KUMAR YADAV Son Deena Yadav @ Ladho
Yadav Resident of Village - Raivir @ Rai - Bhir, P.S.- Shankarpur, Distt -
Madhepura.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner	:	Mr. Kumar Goutam, Advocate.
For the State	:	Ms. Rina Sinha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 18-12-2019 Let the 2nd supplementary affidavit filed on behalf of
the petitioner be kept on the record.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State as also the learned counsel for the
informant.

The petitioner seeks bail in connection with
Madhepura P.S. Case No.656 of 2019 registered under Sections
147, 148, 149, 341, 323, 307, 379 and 504 of the Indian Penal
Code besides Section 27 of the Arms Act.

The accusation is that on 28.07.2019 at about 11.00
P.M., Pralay Kumar Yadav, this petitioner and others came at the
room of Sonu Kumar, the Bhagina of the informant Ajay
Kumar, and made demand of brass pot and glass for drinking the



liquor but Sonu Kumar, the Bhagina of the informant, refused regarding which the informant made complaint to the father of Pralay Kumar Yadav. Thereafter, on 30.07.2019 at about 11.30 P.M., on the pretext of compromise, Pralay Kumar Yadav, this petitioner, Ajay Yadav and Akhilesh Thakur along with 10-12 unknown on two four wheelers came at the house of the informant and called him for compromise and started to talk. At that time, Pralay Kumar and this petitioner started to abuse to the informant and make firing at him through three-nut. At the time of firing, one pellet passed nearby the temporal region of the informant, however, anyhow, he was saved and the informant entered into his house. At that time, Pralay Kumar Yadav snatched the gold chain of the informant.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that while the allegation of making firing at the informant has been made against the petitioner and Pralay Kumar Yadav but none had sustained injury. In fact, due to grudge and enmity, the petitioner and others have falsely been implicated in this case. The petitioner is in custody since 01.08.2019.

On the other hand, learned counsel for the informant submits that the petitioner has criminal antecedents, as detailed



in paragraph-3 to this application, and in addition to that, he has also been convicted in Sessions Trial No.159 of 2007 by the Presiding Officer, Fast Track Court-V, Madhepura, in which he has been sentenced for life imprisonment and, later on, he was released on bail by the appellate court in that case.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Madhepura, in connection with Madhepura P.S. Case No.656 of 2019.

(Rajendra Kumar Mishra, J)

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