

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76280 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- MAIRWAN District- Siwan

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Ravi Yadav @ Ravi Y Son of Shree Parma Yadav Resident of Village-Chotka
Majha, P.S.-Mairwa, District-Siwan at present Village-Phulwaria, P.S-
Mairwa, District-Siwan. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Shrivastava, Advocate
For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP
For the Informant : Mr. Prashant Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 02-12-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has filed the instant application for
grant of bail in a case registered for the offence under sections
341,323,307,302 and 34 of the Indian Penal Code and section
27 of the Arms Act.

As per the allegation in the FIR, the informant and the
accused persons were Pattidar and there was dispute with
respect to the immovable property as a result of which the
petitioner is alleged to have obstructed the construction of RCC
Road. It is further stated in the FIR that Dilip Yadav fired upon
informant's brother Krishna Yadav causing injury on his head.
Prayag Yadav also fired upon nephew of the informant namely,
Manu Yadav causing injury on leg.

It is submitted by learned counsel for the petitioner that
the allegations as leveled in the FIR are false and concocted.



The allegation of assault by firearm is against Dilip Yadav and Prayag Yadav and not against this petitioner who is in custody since 27.06.2019 and has no criminal antecedent.

It is submitted by learned counsel for the informant that although it is true that the allegation of assault by firearm is against Dilip Yadav and Prayag Yadav but the petitioner is also named in the FIR and has played active role in the assault. It is further submitted that Dilip Yadav is absconding.

The application for bail was opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration that the main allegation is against Dilip Yadav and Prayag Yadav and this petitioner is in custody since 27.06.2019, the Court is inclined to enlarge the petitioner on bail. Let the petitioner above named be enlarged 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 learned Additional Chief Judicial Magistrate VII, Siwan in connection with Mairwa P.S. Case No. 9 of 2019.

(Partha Sarthy, J)

Prakash/-

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