

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9124 of 2020

Arising Out of PS. Case No.-214 Year-2019 Thana- BIHPUR District- Bhagalpur

SHANKAR YADAV S/o Late Sachitanand Yadav Resident of Village- Balha,
P.S.- Bihpur (Bhawanipur), Distt- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 147, 148, 149, 323, 333, 338, 307, 385 of the Indian
Penal Code and 27 of the Arms Act.

The prosecution case in short is that while the informant
was taking supper at his door, in the meantime, the accused
persons variously armed came there and started abusing. When
it was protested, the accused persons also opened fire.

It has been submitted on behalf of the petitioner that there
is no allegation of tampering of witnesses alleged against the
petitioner. The petitioner is in custody since 28-10-2019. Charge
sheet has already been submitted. The petitioner has been
falsely implicated in the present case. The petitioner is alleged



to have fired in course of occurrence but the same did not hit anyone. Hence, the petitioner had no intention to commit murder. No offence u/S 307 of the Indian Penal Code is made out.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Naugachia in connection with Bihpur (Bhawanipur) P.S. Case No. 214 of 2019.

(Sudhir Singh, J)

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