

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10276 of 2020

Arising Out of PS. Case No.-349 Year-2018 Thana- BELAGANJ District- Gaya

JITENDRA YADAV, aged about 44 years, Male, S/o Bachu Yadav, R/o Village- Dalelchak, P.S.- Belaganj, District- Gaya.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Vagisha Pragya Vacaknavi, Advocate.
For the Opposite Party : Mr.Dilip Kumar No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-06-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences under Sections 341, 323, 379, 307, 504, 506/34 of the IPC and 27 of the Arms Act.

The prosecution case, in short, is that on 29.11.2018, when the informant’s son, Jayakant was returning from field with his Tractor, petitioner and others started abusing him when his Tractor came upon the mud boundary of the accused person. The matter was pacified between them. On 30.11.2018, when



the informant's another son Munna Yadav was coming, petitioner and others abused and assaulted him. Co-accused Ranjeet Yadav fired with his rifle at his son which was missed but Jitendra Yadav (petitioner) fired with his pistol in his stomach who fell down. Co-accused Sanjeet Yadav snatched watch and Sujit snatched Pendant from his son. His son was admitted in the hospital.

Earlier prayer for regular bail of the petitioner was rejected by the then another Co-ordinate Bench of this Court vide Cr. Misc. No. 59337 of 2019 under order dated 18.10.2019. annexed as Annexure-P/2 to the present application.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.07.2019 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is alleged to have fired upon the son of the informant but there is no injury report on the record to support the allegation made in the F.I.R. There is admitted land dispute between the parties. In course of investigation, eye witnesses who were examined, they have named the co-accused Sujit Yadav who is said to have fired upon the victim.



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

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned A.C.J.M. XI, Gaya in connection with Belaganj P.S. Case No. 349 of 2018.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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