

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15608 of 2020

Arising Out of PS. Case No.-1 Year-2020 Thana- PUNAURA District- Sitamarhi

NIRANJAN YADAV @ NIRANJAN KUMAR RAI, aged about 25 years,
Gender-Male, S/o Late Devki Rai @ Late Devaki Ray, R/o village- Ranjitpur,
P.S.- Punaura, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Alok Kumar Alok, Advocate.

For the Opposite Party : Mr. Rana Randhir Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-07-2020 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 is apprehending his arrest in a case for
the offence registered under Sections 341, 323, 324, 307, 379,
504 and 506/34 of the IPC.

The prosecution story, in brief, is that on 01.01.2020
at about 9.00 P.M. the petitioner alongwith other co-accused
persons assaulted the informant with the handle of a *Gun*, as a
result of which, he become unconscious. He was admitted in



Navjeevan Hospital for treatment. When he got conscious, his cash of Rs. 5,000/- and gold chain was missing.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. He has falsely been implicated in the present case. It is alleged in the F.I.R. that the petitioner and others assaulted upon the victim with the *butt* of the *gun*. There is no allegation of causing injury by firearms upon the victim which shows that the petitioner had no intention to commit murder of the victim. Hence, no offence under Section 307 of the I.P.C. is made out in the present case. The occurrence is said to have taken place on 01.01.2020 as to when the case was instituted on 03.01.2020. Delay has not been explained by the prosecution.

On behalf of the learned counsel for the State, it has been 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, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of the learned C.J.M. I/C, Sitamarhi, in connection with Punaura P.S. Case No. 01/2020, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure.

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 seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

