

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15902 of 2020

Arising Out of PS. Case No.-11 Year-2020 Thana- HARNAUT District- Nalanda

1. Brajesh Yadav @ Brijesh Yadav Son of Suresh Yadav Resident of Village - Falanwan also known as Falhanwan, P.S.- Harnaut, Dist.- Nalanda.
2. Namesh Yadav Son of Suresh Yadav Resident of Village - Falanwan also known as Falhanwan, P.S.- Harnaut, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Lilawati Singh

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 13-07-2020 Heard learned counsel for petitioners as well as learned A.P.P. for the State through video-conferencing.

The petitioners apprehend their arrest in Harnaut P.S. Case No. 11 of 2020 registered for the offence under Section 307 & other allied sections of the Indian Penal Code and Section 27 of the Arms Act.

As per F.I.R., on 10-01-2020, the brother of the informant was being assaulted by accused persons, including petitioners, and when informant went to save his brother, he was caught by co-accused and petitioners fired upon him, resulting bullet injury on the chest of informant, due to which, informant fell down and all accused fled away.



It is submitted on behalf of petitioners that petitioners are innocent and have falsely been implicated in this case due to village politics. In fact, no such occurrence had taken place. It is further submitted that as per injury report, only one injury i.e. lacerated wound measuring 2"x ½"x 1/8" has been found on the chest, which is simple in nature and caused by hard & blunt substance that itself belies the prosecution case. Petitioners have no criminal antecedent.

Considering the aforesaid facts and circumstances, the bail application is allowed.

In the event of arrest or surrender within a period of six weeks from today, let the above-named petitioners be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda in connection with Harnaut P.S. Case No. 11 of 2020, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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