

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17938 of 2020**

Arising Out of PS. Case No.-5 Year-2020 Thana- SAHEBPUR KAMAL District- Begusarai

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DHEERAN YADAV @ DHIREN YADAV @ DHEERENDRA KUMAR
YADAV S/O- Shivnandan Yadav Resident of Village - Baburahi, P.S. -
Sahebpur Kamal, District - Begusarai.

... .. Petitioner

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Tej Narayan Singh, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-06-2020 This application has been placed for

consideration by the order of the Hon'ble the Chief

Justice through virtual court proceeding.

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner in the present case is seeking

regular bail in connection with Sahebpur Kamal P.S.

Case No. 05 of 2020 registered for the offences

punishable under Section 341, 324, 307, 504, 506/34 of

the Indian Penal Code and 27 of the Arms Act.

It is the case of the petitioner that although he



is named in the First Information Report and it has been alleged that he had also fired but the FIR itself speaks that the alleged shot fired by this petitioner did not hit the informant and no injury has been caused.

Learned counsel submits that it is a case of false implication of the petitioner and there is admittedly a land dispute between the petitioner's family and the informant's family over construction of a *rasta*. The petitioner is in custody in connection with this case since 07.01.2020, he has no criminal antecedent, investigation against him is complete.

Mr. Akhileshwar Dayal, learned APP In Charge has appeared and opposed the bail application.

Considering the facts and circumstances of the case and the stand of the petitioner as it is apparent in the FIR itself that the alleged shot fired by him did not cause any injury and he is in custody since 07.01.2020, there being no submission on behalf of the State that the release of the petitioner at this stage is in any way likely to interfere with the course of trial, let the petitioner



above named be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Sahebpur Kamal P.S. Case No. 05 of 2020, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, or the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and



observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

The application is allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Arvind

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

