

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20935 of 2020

Arising Out of PS. Case No.-160 Year-2020 Thana- JAHANABAD District- Jehanabad

BINOD YADAV S/o Late Firangi Yadav Resident of Village-Devariya (Purani Jail), Police Station-Jehanabad, District-Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 29-09-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 279, 147, 148, 149, 353, 333, 427, 307 of the Indian Penal Code, Section 25 (1-b)a/26/27 of the Arms Act and Section 37 (c) of the Bihar Prohibition Act.

The prosecution case is that on 10.03.2020 informant and other police personnel were in patrolling duty. During the course of patrolling, they saw that 6 persons riding on a two wheeler were coming from the side of Ghose and when the police intercepted them, one person from them fired upon the police party but somehow the said person was apprehended by the police. Others raised slogan against the police, pelted stone on the police vehicle, damaged the vehicle and fled from the spot. The apprehended accused disclosed his name as Binod



Yadav and on search two live cartridges and one misfired cartridge were recovered. On further search from the dicky of motorcycle, one live cartridge was also recovered. On inquiry he could not produce any valid paper and on examination by breath analyser machine, he was found in drunken condition. Accordingly, a seizure list was prepared.

Learned counsel for the petitioner submits that he is innocent and has been falsely implicated in this case. He submits that nothing has been recovered from the possession of the petitioner and seizure list witnesses are hostile to the petitioner. He submits that petitioner is in custody since 11.03.2020.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Jehanabad-cum-Special Judge, Excise, Jehanabad in connection with Excise Case No. 350 of 2020 arising out of Jehanabad Police Station Case No. 160 of 2020.

(Anjani Kumar Sharan, J)

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