

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29698 of 2020

Arising Out of PS. Case No.-465 Year-2018 Thana- BANKA District- Banka

PINTU YADAV Son of Late Suresh Yadav Resident of Village - Jethour,
Kakaria, P.S. - Barahat, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajib Ranjan Jha

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-11-2020 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.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 147, 148, 149, 307, 323, 337 of the
I.P.C. and ³/₄ of the Explosive Substance Act.

Prosecution case, in short, is that the petitioner threw
a bomb on the informant, due to which he sustained injury on



his left leg and co-accused Manoj Yadav threw a bomb on elder brother of the informant, due to which he sustained injury on right thigh and other accused persons assaulted the informant by throwing bricks and stones.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.01.2020 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in this case. It is a case and counter case between the parties. Free fight is alleged to have taken place. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands. The nature of injuries caused by the petitioner and others are simple in nature. Hence no offence under Section 307 of I.P.C. is made out.

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

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial



Magistrate, Banka in connection with Banka (Barahat) P.S. case
No.465 of 2018.

(Sudhir Singh, J)

Narendra/-

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