

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77220 of 2019

Arising Out of PS. Case No.-474 Year-2019 Thana- KHAGARIA District- Khagaria

1. Dharamveer Yadav S/o Uday Yadav Resident of Village- Tartar Umesh Nagar, P.S.- Muffasil, District- Khagaria.
2. Karamveer Yadav S/o Uday Yadav Resident of Village- Tartar Umesh Nagar, P.S.- Muffasil, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 16-03-2020 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 447, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the written report of Prema Devi submitted to the Station House Officer, Khagaria Muffasil P.S., is to the effect that on 27.06.2019 there was some hot exchange between the son of the informant, Ramprit Yadav and co-accused Adhik Yadav but the issue was pacified and in retaliation to that on 29.06.2019 at 7.00 A.M., the petitioners Dharamveer Yadav, Karamveer Yadav and co-accused Adhik



Yadav, Shanti Devi, Uday Yadav and two unknown came at the door of the informant and started firing. It is specifically alleged that firing resorted to by co-accused Uday Yadav caused injury in the right leg of the informant whereas firing made by co-accused Adhik Yadav caused injury to the sister-in-law, Savitri Devi.

It is submitted by learned counsel for the petitioners that specific accusation of causing injury by firearm is against co-accused Uday Yadav and Adhik Yadav and admittedly the injured were treated in Khagaria Sadar Hospital but the injury report has been brought on record of a private doctor. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP and learned counsel for the informant after going through the case diary submit that the injury of sister-in-law of the informant has been found grievous caused by firearm, however, it is not in dispute that the said injury has been caused by co-accused Adhik Yadav.

Considering the fact the specific accusation of causing firearm injury is against co-accused Uday Yadav and Adhik Yadav and statement being made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let



the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, 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, Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 474 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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