

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22934 of 2021

Arising Out of PS. Case No.-206 Year-2019 Thana- RAHUI District- Nalanda

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Ajay Yadav Son Of Bijendra Yadav Resident of Village Govindpur, P.S.
Rahui, District - Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-11-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is seeking regular bail in connection with Rahui P.S. Case No. 206 of 2019 instituted for the offences under Section 147, 341, 323, 504, 307 and 325 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is in custody since 16.12.2020 and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that the informant had alleged that while his father was grazing she-buffalo, five named accused persons started hurling



abuses on his father including the petitioner on account of previous disputes. On the protest made by the informant's father, it is alleged that all the accused persons assaulted him by iron rod and *lathi* as a result of which he fell down and on raising alarm, Ajay Yadav (petitioner) is said to have fired at the father of the informant hitting his left arm and thereafter fled away creating panic by firing in the air.

Learned counsel for the petitioner submits that from perusal of Annexure-2 which is the injury report it would manifest that as far as allegation of firing is concerned, the same does not get corroborated from the injury report and as far as other injuries are concerned, two are grievous in nature, one is simple caused by hard and blunt substance and the injuries are on the non-vital part of the body.

Learned A.P.P. for the State vehemently opposes the bail application of the petitioner but on query of the Court that as far as allegation regarding firing is concerned, the same does not get corroborated from the injury report, the learned A.P.P. fairly submits that though the injuries are not of fire-arm but then the injuries are grievous though not on the vital part of the body.

Considering the fact that the petitioner is in custody



since 16.12.2020, he is a person with clean antecedent and the charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda, Bihar Sharif in connection with Rahui P.S. Case No. 206 of 2019 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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