

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27284 of 2021**

Arising Out of PS. Case No.-13 Year-2020 Thana- BITHAN BAZAR District- Samastipur

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GAMGAM YADAV Son of Kailash Yadav Resident of Village- Parichh, P.S.-
Hasanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai
For the Opposite Party/s : Mr.Jharkhandi Upadhyay

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Bithan P.S. Case No.13 of 2020, corresponding to G.R. No.54 of 2020, registered for the offence punishable under Sections 341, 342, 307, 504 and 506 of the IPC and section 27 of the Arms Act.

The prosecution case in short is that while the



informant was returning to his house then the petitioner along with one other accused stopped him and both of them abused him. It is further alleged that Gamgam Yadav caught him and Bajrang Yadav fired on his jaw, due to which he sustained injury and on sound of firing people reached there and he was taken for treatment.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No offence as alleged has ever taken place. He has been falsely implicated in this case due to ill motive. No incriminating article has been recovered from the conscious physical possession of the petitioner. The only allegation against this petitioner is that he caught the informant and the allegation of firing is against the co-accused who fired upon the informant due to which informant sustained injury. The petitioner has no criminal antecedent and has been languishing in custody since 14.09.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five



Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Rosera, in connection with Bithan P.S. Case No.13 of 2020, corresponding to G.R. No.54 of 2020.

(Anjani Kumar Sharan, J)

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