

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40733 of 2021**

Arising Out of PS. Case No.-103 Year-2020 Thana- CHAUTHAM District- Khagaria

BHUJAL YADAV @ TEJO @ TEJ NARAYAN YADAV Son of Narsingh
Yadav Resident of Village- Sonbarsha, P.S.- Choutham, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Roshan Kumar Mishra

For the Opposite Party/s : Mr.Ramchandra Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 08-10-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 341, 323, 384, 307, 34 of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, on the alleged date and time of occurrence four named persons including one unknown person came there and after some altercation co-accused Ramesh Yadav @ Lambhu caught them and co-accused, Rinkesh Yadav and Pandav Yadav fired on them which hit his brother in left arm and stomach.

Learned counsel appearing for the petitioner submits that petitioner is not named in the FIR and the name of petitioner surfaced in this case during the course of investigation in the statement of injured, Nitish Kumar, in which it is stated



that petitioner also came after the occurrence and shouted that his father Suresh Muni remained alive and he will be finished in second time. It is submitted that no overt act has been alleged against this petitioner and allegation of firing is against co-accused. Petitioner is in custody since 20.01.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Miss Alka Roy, Judicial Magistrate, 1st class, Khagaria in connection with Choutham PS case No. 103/2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move



for cancellation of bail.

(Prabhat Kumar Singh, J)

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