

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34727 of 2020

Arising Out of PS. Case No.-68 Year-2020 Thana- SHAHKUND District- Bhagalpur

DILIP YADAV, S/o Ashok Yadav, Resident of Village-Amkhoriya, P.S-
Shahkund (Sajour), District-Bhagalpur ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Vivekanand Vivek, Adv.

For the Opposite Party : Mr. Dilip Kumar No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 22-03-2021 As prayed for, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide it's note, dated 14.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Shahkund (Sajour) P.S. Case No. 68 of 2020, registered under Sections 341, 307, 506 and 34 of the Indian Penal Code and 27 of the Arms Act.

The accusation is that at about 10.00 p.m. on 05.04.2020, the informant, Patwari Yadav, was at his house, at that time, Dilip Yadav (petitioner) fired through gun, in the meantime, Akhilesh Yadav also fired twice, out of which one pellet hit his right thigh and he fell down. At that time, Prashant Yadav and two others were also present inside, but, he could not identify two persons due to darkness. On hearing the sound of firing the neighbours came and the informant was rushed to



Bhagalpur for treatment.

Submission is that it would appear from the first information report that firing of co-accused, Akhilesh Yadav, hit to the right thigh of the informant while it is alleged that informant made firing, but, the same was not hit to any one. In fact, due to land dispute occurrence of marpeet took place in between Akhilesh Yadav and the informant, but, the petitioner being the pattedar of the informant has also been implicated in this case, who has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Shahkund (Sajour) P.S. Case No. 68 of 2020 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Subdivisional Judicial Magistrate, Bhagalpur, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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