

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35877 of 2020

Arising Out of PS. Case No.-40 Year-2020 Thana- NARAINPUR District- Bhojpur

SUDHAR SINGH @ SUDHAR YADAV Son of Late Nasiba Yadav R/o
Village-Ahile, P.S.-Narayanpur, District-Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 04-03-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Narayanpur P.S. Case No. 40 of 2020 for the offence registered
under Sections 323, 324, 341 and 307 of the Indian Penal Code
and Section 27 of the Arms Act.

The allegation is regarding the son of the petitioner
namely Dharmendra Yadav having fired gun shots on the
informant resulting in him sustaining injury on his chest, at the
time when the informant was going on his tractor to his field. It
is further alleged that subsequently the petitioner and one
Sanjay Yadav had fired on the uncle of the informant resulting
in injury being inflicted on his left wrist.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the



present case and he is languishing in custody since 01.07.2020. The learned counsel for the petitioner has further submitted that no specific overt act has been alleged so far as the petitioner is concerned and in fact both the co-accused person Sanjay Yadav and the petitioner are alleged to have fired at the uncle of the informant, however, only one injury has been inflicted upon him. Lastly, it is submitted that the injury sustained by the uncle of the informant is on the left wrist and not on any vital part of the body.

Per contra, the learned A.P.P. for the State Shri Anil Kumar has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case and taking into account the materials available on record as also those available in the case dairy, it appears that no specific allegation has been levelled against the petitioner herein of him having fired on the uncle of the informant and moreover he is having a clean antecedent and is languishing in custody since 01.07.2020, hence I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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 learned Additional Chief Judicial Magistrate-6th,



Bhojpur at Ara in connection with Narayanpur P.S. Case No. 40
of 2020.

(Mohit Kumar Shah, J)

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