

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37374 of 2020

Arising Out of PS. Case No.-485 Year-2019 Thana- GAURICHAK District- Patna

Munder Yadav @ Munna Kumar @ Munna Rai, aged about 45 years, Male,
son of Sri Rajendra Rai, Resident of Village- Jamanpura, P.S.- Gaurichak,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Udbhav, Advocate
For the State	:	Mrs.Indu Kumari Srivastava, A.P.P.
For the Informant	:	Mr. Mithilesh Kumar Upadhyay, Advocate Mr. Abhishek Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-03-2021 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner seeks bail in connection with
Gaurichak P.S. Case No. 485 of 2019 registered for the offences
punishable under Sections 341, 307/34 of the Indian Penal Code
and Section 27 of the Arms Act.

The prosecution story in brief is that one Ravish
Kumar lodged his fardbeyan on 23.12.2019 at 7.00 A.M. at
P.M.C.H., Patna before the S.H.O. of Gaurichak Police Station
alleging therein interalia that the dispute is going on from him
and Munder Yadav @ Munna Rai, Sigauli Rai, Kara Rai, Vijay
Rai, Bhola Rai and Vijendra Rai with respect to a murder case



and inspection of the school. For the said reason on 22.12.2019 at 5.00 P.M. when he had gone to school chowk for eating eggs, all of a sudden Kara Rai, Vijay Rai, Bhola Rai, Vijendra Rai caught hold him whereas Munger Rai resorted to firing upon him from the pistol causing injury on right temporal region, due to which he fell down. In the meantime, Sigauli Rai resorted firing from his pistol causing injury on right side of his back. Thereafter, aforesaid persons presuming him dead while resorting firing fled away. After that he was carried to P.M.C.H. for treatment where his treatment was going on.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. On perusal of the F.I.R., it is apparent that the petitioner had fired upon the victim. The petitioner resorted to firing from the pistol which hit at right temporal region of the informant due to which he fell down. Learned counsel for the petitioner further submits that the victim is admitted in P.M.C.H. but there is no any fire arm injury on the victim in the case diary.

Learned counsel for the informant submits that there is no better treatment in P.M.C.H., therefore, the victim moved another hospital. Petitioner is in jail custody since 20.08.2020.

Learned A.P.P. for the State opposed the bail petition.



In the facts and circumstances of the case, let the above named petitioner be enlarged on bail **after framing of charge** on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Patna City in connection with Gaurichak P.S. Case No. 485 of 2019.

(Anjani Kumar Sharan, J)

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