

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55869 of 2021

Arising Out of PS. Case No.-605 Year-2019 Thana- BARH District- Patna

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RABO YADAV S/O UPENDRA YADAV RESIDENT OF VILLAGE-
PURAAYBAG, P.S.- BARH, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 22-12-2021 Heard the learned counsel for the petitioner and Sri
Dasrath Mehta, the learned APP appearing for the State.

The present petition is by way of second attempt at the behest of the petitioner for grant of regular bail in connection with Barh PS case no. 605 of 2019, registered under Sections 341, 323, 307, 504/34 of Indian Penal Code and 27 of Arms Act, inasmuch as the earlier prayer of the petitioner for grant of bail was rejected vide order dated 16.03.2021, passed in Cr. Misc. no. 36000 of 2020.

The allegation is regarding altercation having taken place in between the accused persons including the petitioner and the informant as well as their family members, whereafter the petitioner is alleged to have fired gun shots from his pistol on the father of the informant resulting in him sustaining firearm injuries



on his left thigh.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 13.06.2020. The learned counsel for the petitioner has further submitted that though the petitioner is alleged to have fired from his arms upon the father of the informant but the father of the informant had received gun shot injury on his thigh which is a non-vital part of the body, hence the petitioner was not having any motive to commit such an offence, thus a sympathetic view be taken, in view of the period of incarceration of the petitioner herein.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials on record as also considering the period of incarceration of the petitioner herein vis-a-vis the allegation levelled against him, I deem it fit and proper to admit the petitioner to the privilege of bail, accordingly the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of



learned court of A.C.J.M. 1st, Barh, Patna in connection with Barh
PS case no. 605 of 2019.

(Mohit Kumar Shah, J)

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