

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3958 of 2021

Arising Out of PS. Case No.-22 Year-2020 Thana- SHAMBHUGANJ District- Banka

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FULO YADAV @ FULCHAND YADAV, Son of Bishundeo Yadav Resident
of Village - Majhgai, P.S.-Sambhugaunj, Distt.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh
For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-08-2021 Heard Mr. Swapnil Kumar Singh, learned

advocate for the petitioner and Ms. Asha Devi, learned

APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Sambhugunj P. S. Case No. 22
of 2020, dated 29.01.2020, instituted for the offences
under Sections 341, 323, 307, 448, 504, 506 and 34 of
the Indian Penal Code.

It is alleged in the F.I.R. by one Suddu Yadav
that while he was dancing in a marriage party, one
Dablu Yadav called his friends including the petitioner
and resorted to indiscriminate firing, as a result of which



the informant sustained injuries. The miscreants were shoed away and while they were returning, they were also assaulted by the villagers.

The learned advocate for the petitioner has submitted that the informant has received simple injuries by hard and blunt substance. The accusation of firing indiscriminately by five persons is not borne out from the records. No empty cartridges were found at the place of occurrence. There are injuries on the bodies of the accused persons as well.

It has been suggested by the learned advocate for the petitioner that the facts disclosed in the F.I.R. reflect that during the marriage function, a dispute arose because of people dancing to the musical tune and there was a fight between two groups of people. With the intervention of villagers, the dispute was settled. However, taking advantage of one simple injury on the person of the informant and that also caused by hard and blunt substance, this case has been lodged.



It has, therefore, been submitted that the petitioner has falsely been implicated in this case.

The petitioner does not have criminal antecedents.

Regard being had to the afore-stated facts, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. IV, Banka, in connection with Sambhugunj P. S. Case No. 22 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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