

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7934 of 2021

Arising Out of PS. Case No.-108 Year-2020 Thana- RAGHOPUR District- Supaul

Chhotelal Yadav Son of Late Suryanarayan Yadav R/O Village- Giripatti,
Ward No.8, P.S.- Raghobpur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Jha, Adv.

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 07-09-2021 The matter has been listed today for consideration
through Video Conferencing.

Learned counsel for the petitioner is expected to
honour his undertaking given in the instant case for depositing
the requisite court fee and to remove the defects as pointed out
by office when called upon to do so by the office.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in Raghobpur P.S. Case
No.108 of 2020 instituted for the offence under Sections 341,
307, 504, 506 and 34 of the Indian Penal Code and Section 27
of the Arms Act.

The named accused persons including the petitioner
have fired upon the informant while he had gone to inspect his



crops. It is alleged that the informant sustained firearm injury on his chest.

Learned counsel for the petitioner submits that the allegation is of indiscriminate firing by three persons. The petitioner is not the author of the alleged injury sustained by the informant. It is submitted that from the order rejecting the petitioner's bail application by the court below, it is evident that the injury report was submitted in the court below after the charge sheet had already been filed. Having no criminal antecedent, the petitioner is in custody since 28.05.2020. During investigation, some witnesses have stated about the injury being caused by firing made by co-accused Yogendra Yadav.

Learned APP has opposed the prayer for bail. It is submitted that the petitioner along with two others have fired upon the informant causing firearm injury.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner, above named, 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 the learned



Additional Chief Judicial Magistrate, Birpur, Supaul in connection with Raghopur P.S. Case No.108 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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