

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10686 of 2022

Arising Out of PS. Case No.-631 Year-2021 Thana- SAUR BAZAR District- Saharsa

=====

RANVIR KUMAR YADAV @ RANVIR KUMAR Son of Bijendra Yadav
Resident of Village- Suhath, P.S.- Sour Bazar, Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

with

CRIMINAL MISCELLANEOUS No. 24098 of 2022

Arising Out of PS. Case No.-631 Year-2021 Thana- SAUR BAZAR District- Saharsa

=====

SUDHIR KUMAR S/o Bechan Yadav Resident of Village- Bhaptiya, P.S.-
Sour Bazar, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

(In CRIMINAL MISCELLANEOUS No. 10686 of 2022)

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Manoj Kumar

(In CRIMINAL MISCELLANEOUS No. 24098 of 2022)

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Amit Kumar Rakesh

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 20-10-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioners and

learned A.P.P. for the State.

The petitioners seek bail in connection with Sour

Bazar P.S. Case No. 631 of 2021 registered for the offences



punishable under Sections 341, 323, 307, 379, 384, 504, 34 of the I.P.C. read with Section 27 of the Arms Act.

As per prosecution case, allegation against the petitioner namely Ranvir Kumar is that he fired upon the informant which hit him on his left thigh and petitioner namely Sudhir Kumar also fired upon the informant which hit on his left arm.

Learned counsel for the petitioner submits that petitioner namely Ranvir Kumar is in custody since 16.12.2021 and petitioner namely Sudhir Kumar is in custody since 21.01.2022. Both petitioners bear no criminal antecedent. Charge-sheet is already been submitted and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that petitioner namely Ranvir Kumar fired upon the left thigh of the informant and petitioner namely Sudhir Kumar fired upon the left arm but injury report indicates only one injury which is on chest of the informant. As per F.I.R. co-accused Banti Yadav fired upon the informant which hit on his chest. The allegation against the petitioners is not supported and corroborated by the injury report as mentioned at Annexure-2 of the bail application. The petitioners are innocent and have falsely been implicated in the present case.



The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, allegation of firing is not supported and corroborated by injury report, keeping in view clean antecedent of the petitioners and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa in connection with Sour Bazar P.S. Case No. 631 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or



the witnesses, in that case, the prosecution will be at liberty to
move for cancellation of bail.

(Alok Kumar Pandey, J)

amitkr/-

U		T	
---	--	---	--

