

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34304 of 2022

Arising Out of PS. Case No.-8 Year-2020 Thana- RAJAOLI District- Nawada

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Pramod Yadav @ Pramod Kumar S/o Late Ramaavtar Yadav Resident of
Village-Bhour, P.S.-Rajauli, District-Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-09-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Rajauli P.S. Case No.08 of 2020 registered for the offences
punishable under Sections 147, 148, 149, 341, 323, 307, 504,
379 and 427 of the Indian Penal Code and Section 27 of the
Arms Act.

As per the allegation, the accused persons being
twelve in number armed with weapons came at the house of
informant and started abusing the prosecution party and on the
resistance made by the informant they started assaulting the



informant by means of lathi, danda and fist and thereafter this petitioner and co-accused persons namely Shankar Yadav and Satyendra Yadav opened fire at the informant and owing to that firing informant's brother Kishori Yadav sustained fire-arm injury at his leg and right cheek and in that said firing the informant also sustained fire-arm injury.

The main submissions advanced by the learned counsel Mr. Sheo Kumar Prasad for the petitioner are that in the present case two persons are said to have sustained injuries in the alleged incident and their injuries have been opined to be simple in nature and the same have been discussed in the order dated 06.12.2021 passed by a co-ordinate Bench of this Court in Cr. Misc. No.28481 of 2021 in connection with prayer for bail made by co-accused Satyendra Yadab who has been granted bail by the said Bench. Further submission is that against the petitioner there is no any specific allegation and a land dispute is stated to be the genesis of the alleged occurrence and the so-called injured Sanju Devi did not sustain any fire-arm injury while as per the FIR she has sustained fire-arm injury on account of alleged firing made by this petitioner and co-accused persons. Further submission is that the petitioner is a son of the sister of the other co-accused due to which he has been made



accused in this case and he appears to have clean antecedent.

Learned APP Mr. Rajiv Nayan appearing for the State has opposed the bail prayer.

In view of above submissions and mainly taking into account the fact that similarly situated co-accused person namely Satyendra Yadab has been granted bail by a co-ordinate Bench of this Court vide order passed in above-mentioned criminal miscellaneous case and the petitioner has clean antecedent and he has been languishing in jail since 11.03.2022 and as per the above submission made by learned counsel for the petitioner, the injured persons of this case sustained simple injuries, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner 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 concerned Court in connection with Rajauli P.S. Case No.08 of 2020.

(Shailendra Singh, J.)

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