

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46939 of 2021**

Arising Out of PS. Case No.-286 Year-2019 Thana- CHAUSA District- Madhepura

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Laltu yadav @ Vishwajit Bhaskar, aged about 25 years, Gender- Male, S/o  
Pramanand Yadav, Resident of Gariya Bhatgama, P.S.-Chausa, District-  
Madhepura.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr. Bhola Prasad, Adv.

For the Opposite Party : Mr. Rajesh Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

4      10-03-2022      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor (for short 'APP') for the State.

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.

The petitioner seeks bail in Chausa PS Case No. 286 of  
2019 instituted for the offence punishable under Sections  
147,148,149, 448, 323, 324, 307, 354, 379,435,504 and 506 of  
the Indian Penal Code and Section 27 of Arms Act.

Viewed in the background of land dispute based on a  
pending Title Appeal, the petitioner is an accused of having  
opened fire upon Sulekha Devi, wife of one Sugan Mandal



along with co-accused Vijay Yadav. There is allegation of assault against the other co-accused also and it is alleged that five persons, including Sulekha Devi have sustained injuries.

Learned counsel for the petitioner has drawn the attention of the Court towards the injury report (Annexure-2 series); based on these reports, it is submitted that the same belies the prosecution case, attributing the firing against the petitioner as none of these persons have sustained firearm injuries including the Sulekha Devi. The wife of co-accused Vijay Yadav, namely, Meena Devi was also injured in the free fight between the parties based on land dispute in relation to which Chousa PS Case No. 289 of 2019 has been lodged by her. The petitioner, having no criminal antecedents, is stated to be in custody since 27-06-2021.

The learned APP representing the State has opposed the prayer for bail. It is submitted that the injury reports sustained the allegation of assault.

Considering the rival submissions and having gone through the injury reports which do not show any firearm injury upon the injured persons including Sulekha Devi and having regard to the clean antecedent of the petitioner viewed in the background of land dispute, 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 S.D.J.M., Udakishunganj, District- Madhepura, in connection with Chausa P.S. Case No. 286 of 2019, 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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