

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47021 of 2021

Arising Out of PS. Case No.-342 Year-2019 Thana- SAHPUR District- Bhojpur

Rahul Yadav @ Rahul Kumar Son of Ganesh Prashad Resident of Village -
Charpokhari, P.S.- Charpokhari, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 15-10-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Shahpur
P.S. Case No. 342 of 2019 registered for the offence under
Sections 302 and 34 of the Indian Penal Code and under Section
27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 06.02.2021.

The allegation against the petitioner is to assault upon
informant and other family members, by causing fire arm injury,
having intention to cause their death due to previous enmities,
along with other co-accused persons.



Learned counsel appearing on behalf of the petitioner submitted that allegation of firing is specific against the co-accused, namely, Vinod Yadav, where this petitioner implicated only for the reason that he is servant of the co-accused, Vinod Yadav. It is submitted that similarly situated co-accused person has already granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 39168 of 2021. It is further submitted that maximum allegation appears against this petitioner is only to give push to the informant due to road rage issue on previous occasion. While concluding the argument, it is submitted that investigation in this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as allegation of firing is specific against the co-accused person, Vinod Yadav, coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Shahpur P.S. Case No. 342 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Bhojpur at Ara/concerned court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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