

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38236 of 2022

Arising Out of PS. Case No.-362 Year-2020 Thana- BARAUNI District- Begusarai

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SANJAY YADAV @ KARU YADAV S/o Prasadi Yadav R/o village- Simaria
Chanan Ward No. 11, P.S.- Barauni (Chakia O.P.), District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satish Chandra

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 18-10-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in a case registered u/s 341, 323, 504, 506 and 307 read with 34 of the Indian Penal Code and 27 of the Arms Act.

As per the prosecution case, the co-accused Prasadi Yadav is stated to have provided a country-made pistol to the petitioner Sanjay Yadav and on the order of the co-accused, the petitioner fired on Sanjeev Kumar from the said pistol with an



intent to kill and due to which the informant sustained gunshot injury.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the injury was not found on any vital part of the body rather it was found on the left leg of the informant. The other co-accused Prasadi Yadav has already been granted bail by a Co-ordinate Bench vide order dated 08.12.2021 passed in Cr. Misc. No. 26604 of 2021. The petitioner is accused in three other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 28.07.2021.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the doctor has opined that the injury is grievous in nature.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with Barauni P.S. Case No.



362 of 2020, with a condition:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail.

The application stands allowed.

(Chandra Prakash Singh, J)

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