

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50981 of 2021

Arising Out of PS. Case No.-135 Year-2021 Thana- BANKA District- Banka

NIRANJAN YADAV Son of Parshuram yadav Resident of Village -
Lakrikola, P.S. and District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha,
Mr. Sanjeev Kumar, Advocates
For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-04-2022 Heard Mr. Ranjan Kumar Jha, learned counsel for
the petitioner and Dr. Indihar Kumari, learned Additional Public
Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with Banka
PS Case No. 135/2021 registered for the offence punishable
under Sections 323, 324, 307 of the IPC and Section 27 of the
Arms Act.

The allegation in a nutshell is that the petitioner fled
away with the wife of younger brother of the informant for
which some altercation took place between the brother of the
informant and the petitioner and when the informant went to
inquire into the matter, the petitioner fired upon him with the
pistol.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive inasmuch as no such incident has taken place. He next submits that two cases have been lodged, one under the Arms Act in which the petitioner is on bail and the another one is the present case with an allegation of firing but during course of investigation, the prosecution has not brought on record any injury report showing that the informant sustained fire arm injury which would be evident from the impugned order itself.

Learned counsel next submits that the petitioner is in custody since 27.03.2021 and the charge-sheet has already been submitted in the matter.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that the injury report has not been brought on record by the prosecution, petitioner is in custody since 27.03.2021, the charge-sheet has already been submitted in the matter and there is no likelihood that the petitioner will abscond or tamper with the evidences, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, NIRANJAN YADAV be released on bail on furnishing bail bond of Rs. 20,000/-



(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka PS Case No. 135/2021.

(Anil Kumar Sinha, J)

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