

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41729 of 2022

Arising Out of PS. Case No.-53 Year-2011 Thana- HALSI District- Lakhisarai

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Parmeshwar Yadav S/o Late Rohan Yadav, R/o village- Barui, P.S.- Halsi,
District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Parmanand Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 06-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Halsi P.S. Case No. 53 of 2011, lodged under Sections 147, 148,
149, 323, 307 & 341 of the Indian Penal Code read with Section
27 of Arms Act.

As per prosecution case, the allegation against the
petitioner alongwith 6 other co-accused persons that they have
attacked on the informant, due to which the informant injured
by the firing made by the present petitioner, he received injury
below the chest (*panjra*).

Learned counsel for the petitioner submits that the

other co-accused person has been granted bail by the Co-ordinate Bench of this Court vide order dated 14.08.2014 passed in Cr. Misc. No.14537 of 2014. He further submits that it is a case of Section 307 of I.P.C. and for land dispute this case has been filed. Learned counsel for the petitioner further submits that petitioner is in custody since 28.02.2022 and there are 2 criminal cases pending against him, in which he is on bail in both the cases. He further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

Learned counsel for the State opposes the prayer for bail.

Upon specific query that whether charge has been framed in this case or not, learned counsel for the petitioner submits that as per his knowledge charge has not been framed.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner, therefore his bail application is hereby **rejected**.

But liberty is hereby granted to the petitioner that he may renew his prayer for bail after one month of framing of charge in this case and the Trial Court is directed to release the petitioner on bail, imposing its own conditions so that he may

not evade his appearance during trial.

(Dr. Anshuman, J.)

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