

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52054 of 2021

Arising Out of PS. Case No.-418 Year-2020 Thana- RAHUI District- Nalanda

Ramjanam Yadav, Son of Late Gangadhar Yadav, Resident of Village - Dharm
Singh Bigha, P.S. - Rahui, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 01-04-2022 Heard learned counsel for the petitioner and the
learned APP for the State through video conferencing.

The present FIR bearing Rahui P.S. Case No.418 of
2020 was lodged on 17.11.2020 under Sections 324, 307, 34
IPC as well as 27 of the Arms Act which presently is pending
before the court of Chief Judicial Magistrate, Nalanda at
Biharsharif.

The prosecution story, as lodged by informant Nitish
Kumar, is that when he along with his wife and sister were in
their field, they saw accused persons including the petitioner
herein coming there and it is alleged that accused Subali Yadav
opened fire which hit his finger in the left hand. When the
informant tried to flee, it is alleged that accused Nawal Yadav
opened fire which hit his back as a result whereof he fell down
on the ground.



Learned counsel for the petitioner submits that specific allegation have been made against the co-accused Subali Yadav, Nawal Yadav and Dipak Yadav @ Mukesh Yadav leading to injuries as also the bullet fired by the accused Nawal Yadav hit the collar of the jacket. So far as this petitioner is concerned, it has been merely stated in the FIR that he too opened fire.

Considering the fact that the FIR itself discloses the name of the accused persons who injured the informant and it has been stated that the petitioner herein fled away along with other accused persons while firing, there is no overt act against the petitioner.

In the aforesaid facts, let the petitioner 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 learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Rahui P.S. Case No.418 of 2020.

With the aforesaid observation, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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