

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48453 of 2022

Arising Out of PS. Case No.-241 Year-2021 Thana- KISHUNPUR District- Supaul

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UMESH YADAV S/o Late Saryug Yadav R/o village- Bagewa, P.S.-
Kishanpur, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Bhaskar Shankar Advocate
	Mr. Krishna Pd Singh Advocate
	Mr. Rakesh Kumar Sr. Advocate
	Mr. Mithilesh Kumar Singh Advocate
For the Opposite Party/s :	Mr.Md. Mushtaque Alam A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-12-2022 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 under sections 147, 148, 149, 341, 323, 324, 326, 302, 307, 379, 504 and 506 of the Indian Penal Code and section 25(1-B)(a), 26, 37 and 27 of the Arms Act.

As per the prosecution case, the petitioner and the other co-accused persons armed with weapons surrounded the



informant's son and his colleague Shivchandra Yadav and assaulted Shivchandra Yadav as he had not cast his vote in their favour and had supported Panna Devi, upon which Umesh Yadav fired on Shivchandra Yadav which hit him on the outer part of his head. In the meantime, the co-accused Prabha Yadav also assaulted on the head of the Suman Kumar with brick and the co-accused Ramnath Yadav assaulted Suman Kumar on his forehead with farsa. Further Umesh Yadav also assaulted Suman Kumar on his head with the butt part of the pistol causing severe injuries.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that Shivchandra Yadav has sustained no firearm injury. Allegation against the petitioner is that he assaulted with the butt part of the pistol. There was no intention on the part of the petitioner to commit such type of offence. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 08.05.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.



Considering the aforesaid facts and circumstances of the case, 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, Supaul in connection with Kishunpur P.S. Case No. 241 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

atul/ayush/-

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