

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49640 of 2022

Arising Out of PS. Case No.-120 Year-2022 Thana- KASHICHAK District- Nawada

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VINOD YADAV, aged about 35 years (Male), S/o Siyasharan Yadav, Resident of Village- Lila Bigha, P.S.- Kashichak, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party : Mr. Sanjay Kumar Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is directed to remove the defect (s), as pointed out by the office, within a period of four weeks.

The petitioner seeks bail in connection with Kashichak P.S. Case No. 120/2022 registered for the offence under Sections 341, 323, 504, 506, 354, 307, 379/34 of the I.P.C. and Section 27 of the Arms Act.

The prosecution case, in brief, is that after forming unlawful assembly and having armed with lethal weapons, all



accused persons including the petitioner surrounded the informant and brutally assaulted him with an intention to kill him and later on other co-accused fired upon other victims due to which they sustained firearms injuries on their respective bodies and later on accused persons also outraged the modesty of the female members of the informant and committed theft of valuable articles.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 19.05.2022. He has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. Injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands. Nature of injury is said to be simple. Hence, no offence under Section 307 of the I.P.C. is made out.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Ist, Nawada, in connection with Kashichak P.S. Case No. 120/2022.

(Sudhir Singh, J)

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