

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66813 of 2021**

Arising Out of PS. Case No.-49 Year-2020 Thana- CHHABILAPUR District- Nalanda

FANTUS YADAV Son of Sri Benu Yadav Resident of Village - Kesaribigha,
P.S.- Chhabillapur, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivam, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 15-10-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Chhabillapur P.S. Case No. 49 of 2020 registered for the offence
under Sections 147, 148, 149, 341, 323, 504 & 307 of the Indian
Penal Code and 27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 20.07.2021.

The allegation against the petitioner is to fire upon
father of the informant, causing fire arm injury, having intention



to cause death due to land dispute.

Learned counsel appearing on behalf of the petitioner submitted that petitioner has falsely been implicated in the present case, as the written complaint was lodged by Vikash Kumar, whereas the formal FIR was showing that the name of the informant as Arun Kumar Thakur. It is submitted that alleged firing is on non-vital part of the body, negating intention to cause death and same also not repeated without any intervening circumstances. While concluding the argument, it is submitted that investigation in this case is completed long back, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as fire arm injury appears on non-vital parts of the body, where petitioner is in custody since 20.07.2021 coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Chhabillapur P.S. Case No. 49 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned Additional Chief Judicial Magistrate-V, Nalanda at
Biharsharif/concerned court, subject to the conditions as laid
down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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