

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71199 of 2021

Arising Out of PS. Case No.-47 Year-2021 Thana- BHEJA District- Madhubani

Shashi Roushan Yadav Son of Sri Suresh Yadav Resident of Village-
Koriyadhant, P.S.- Bheja, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Kumari Shubham, Advocate
For the Opposite Party/s :	Mr. Bharat Bhushan, A.P.P.
For the Informant :	Mr. Ramchandra Jha Raman, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2022 Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel for the informant.

The petitioner seeks bail in connection with Bheja P.S.
Case No. 47 of 2021 registered under Sections 341, 323, 324,
307, 302, 504, 506 and 34 of the Indian Penal Code read with
Section 27 of the Arms Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 17.06.2021, is a person with clean
antecedent, charge-sheet has been submitted in the case and the
informant alleges that on account of land dispute Mahesh
assaulted Sunil with iron rod on head causing injury, thereafter
Bhumi Yadav and Kishun gave orders to kill on which Suresh
fired at Lalan causing injury on stomach, thereafter Bal Kishore,
Ramesh, Dilip and Yogendra started firing on account of which



there was chaos, further Lalan died during the course of treatment.

The learned counsel submits that from perusal of allegation it would manifest that there is specific allegation of assault against Suresh who fired at Lalan causing injury on stomach and also against Mahesh of assaulting Sunil with an iron rod on head causing injury, it is submitted that as per as petitioner is concerned, no specific overt act has been alleged against him. It is further submitted that from the side of the petitioner Bheja P.S. Case No. 53 of 2021 was instituted against the side of the informant, as such, there is a case and the counter case.

The learned A.P.P. for the State and learned counsel for the informant oppose the prayer for bail of the petitioner but the learned counsel for the informant fairly submits that as per as this petitioner is concerned, no specific overt act has been alleged against him.

Considering the fact that the petitioner is in custody since 17.06.2021, is a person with clean antecedent and charge-sheet has been submitted in the case and no specific overt act has been alleged against the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond



of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bheja P.S. Case No. 47 of 2021.

(Satyavrat Verma, J)

ved/-

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