

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.718 of 2022

Arising Out of PS. Case No.-444 Year-2020 Thana- ARA NAGAR District- Bhojpur

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KUNDAN YADAV Son of Shri Nand Kumar Yadav @ Nand Kumar Resident
of Village- Charkhambha Gali, P.S.- Ara Nagar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ritwik Thakur, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-06-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 307, 452, 504,
506 and 34 of the Indian Penal Code and section 27 of the Arms
Act.

As per the prosecution case, it is stated by the
informant that the accused Dhanji Yadav fired hitting the
informant in his chest. Thereafter, other six accused persons
including the petitioner herein are said to have surrounded and
abused the informant. It is further stated that Dharmendra Yadav
fired another shot injuring the informant.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. On
perusal of the FIR itself it is co-accused Dhanji Yadav and



Dharmendra Yadav who are the assailant of the informant. No overt act has been alleged against the petitioner who is in custody since 8.7.2021 and investigation in the case has concluded.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the contents of the allegations in the FIR, the specific allegations being against Dhanji Yadav and Dharmendra Yadav and not the petitioner herein, the petitioner having remained in custody for 11 months and chargesheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Ara Nagar P.S. Case no. 444 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 the learned Chief Judicial Magistrate, Bhojpur.

(Partha Sarthy, J)

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