

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4304 of 2023

Arising Out of PS. Case No.-249 Year-2022 Thana- JAGDISHPUR District- Bhojpur

1. Munesh Yadav S/O Baban Yadav R/O Village- Bimawan, P.S.- Jagdishpur, District- Bhojpur (BIHAR)
2. Ghuran Yadav @ Dhuran Yadav S/O Baban Yadav R/O Village- Bimawan, P.S.- Jagdishpur, District- Bhojpur (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Singh

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in connection with Jagdishpur P.S. Case No. 249 of 2022 registered under sections 341, 323, 307, 379, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case in short, is that, the co-accused persons, namely, Hem Lal Yadav, Dharmendra Yadav, Seth Yadav, Munesh Yadav(Petitioner No.1) and Ghuran Yadav(Petitioner No.2), who are cousin brothers of the informant, took the informant to his brother-in-law's house. It is further alleged that there, informant was assaulted by the above



named accused for not selling his land to the accused, Hem Lal Yadav. It is further alleged that co-accused Hem Lal Yadav fired at informant resulting into gun-shot injury in his legs. When the informant woke up thereafter, he found himself in a hospital in the presence of the both the petitioners who told him that he was being treated in Max Hospital and further told him to sign on blank paper in front of police, and the police took his signature on blank paper. It is also alleged that his leg was infected on account of gun-shot injury and ultimately, his leg had to be cut-off from knee downwards in another hospital.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case due to land dispute. It is further submitted that the specific allegation of fire arm upon the informant is against co-accused Hem Lal Yadav not against these petitioners rather general and omnibus allegation has been levelled against them. It is also submitted that no any consistent material came against the petitioners. Moreover, they are languishing in judicial custody since 14.11.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and



considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Jagdishpur P.S. Case No. 249 of 2022 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, 1st, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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