

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.7055 of 2023

Arising Out of PS. Case No.-638 Year-2022 Thana- MADHEPURA District- Madhepura

SONU KUMAR YADAV Son of Shree Anil Yadav @ Anil Kumar R/v-
Pathraha, Ward No. 07, P.S.- (Ghailarh O.P.) Madhepura, District- Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suman Kumar Jha

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-05-2023 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Madhepura (Ghailarh O.P.) Police Station Case No. 638 of
2022, dated 09.07.2022, registered for the offences punishable
under Sections 341/307/379/34 of the Indian Penal Code and
Section 27 of the Arms Act.

The prosecution case, as per the First Information
Report, is that while the informant was going on a motorcycle,
he was accosted by another motorcycle, on which three
miscreants were riding. The informant identified two of them as
the petitioner and one Bharat Yadav, who were having three-nut
in their hands. It has further been alleged that co-accused Bharat



Yadav ordered to kill the informant, upon which the petitioner fired bullet upon the informant, which hit him near his chest.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. He next submits that the night was dark and the informant might not have identified the petitioner. Referring to the injury report, he submits that the injury caused to the informant is simple in nature. He further submits that the petitioner is in custody since 04.11.2022, having no criminal antecedent, and charge sheet has already been submitted against him and there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that the injury found on the person of the informant is simple in nature, charge sheet has already been submitted and the petitioner is in custody since 04.11.2022, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand)



with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Madhepura (Ghailarh O.P.) Police Station Case No. 638 of 2022.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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