

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9470 of 2023

Arising Out of PS. Case No.-122 Year-2022 Thana- ASARGANJ District- Munger

=====

ROHIT YADAV SON OF MANOJ YADAV R/O VILL./MUHALLA-
CHAUR GAUN, P.S.- ASARGANJ, DISTT.- MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh
For the Opposite Party/s : Mr.Nand Kishore Prasad

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-05-2023 Heard learned counsel for the petitioner, informant
and learned APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 307, 387 and 34 of the
Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner along with
another is of firing upon the informant, due to which he
sustained injuries.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that, there has been delay
of 10 days in lodging the FIR. From the perusal of the FIR, it
appears that prior to this occurrence, both parties were on
inimical terms. Previous enmity cuts both side, there may be the



possibility of participation has been made by the petitioner in this occurrence, but it also ruled out any participation has been done by the petitioner due to previous enmity. He further submitted that, according to injury report, it appears that the doctor's opinion reserved with regard to injury, so it could not be said that the injuries caused by firearms to the informant. He is languishing in judicial custody since 27.09.2022.

The application for bail is opposed by learned counsel for the informant, learned APP for the State and submitted that the petitioner was shot fired upon the informant.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Munger in connection with Asarganj P.S. Case No. 122 of 2022.

(Sunil Kumar Panwar, J)

arish/-

U		T	
---	--	---	--

