

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16026 of 2023

Arising Out of PS. Case No.-132 Year-2020 Thana- SILAO District- Nalanda

Rakesh Yadav @ Rakesh Kumar Yadav@ Rajniti Yadav @ Rakesh Kumar
Son Of Late Ramadhin Prasad Yadav R/V- Dularua Bigha, P.S.- Silao,
District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Pd. Sr. Adv.

:

Mr. Ritesh Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 323, 324, 326, 307, 379, 504, 506 of the Indian Penal Code and Section 27 of Arms Act.

As per FIR, while the informant was returning from his filed, two groups of persons including the petitioner were quarreling one another. When the informant tried to pacify them, the accused persons started assaulting him. During course of this incident, the petitioner shot fire from his pistol on right leg of the informant due to which he sustained injury.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The alleged occurrence took



place on 13.7.2020 but the present FIR has been lodged on 21.7.2020 after delay of eight days. It is further submitted that the informant sustained only one normal injury in his right thigh which is alleged to be caused by the petitioner. Moreover, similarly situated co-accused namely, Ranjit Kumar Yadav has already been granted bail by a co-ordinate Bench of this Court vide order dated 25.4.2022 passed in Cr. Misc. No. 46614 of 2021. It is further submitted that the petitioner is languishing in judicial custody since 28.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Silao P.S. Case No. 132 of 2020 on 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, Nalanda at Biharsharif.

(Sunil Kumar Panwar, J)

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