

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19702 of 2023

Arising Out of PS. Case No.-217 Year-2021 Thana- DEEPNAGAR District- Nalanda

=====

Vinod Kumar @ Vinod Yadav, S/O Jugal Yadav, Resident Of Village-
Gordhoba, P.S- Deepnagar, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rudal Prasad, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 14-06-2023 Heard Mr. Rudal Prasad, learned counsel appearing
on behalf of the petitioner and the learned APP for the State.

The petitioner apprehends his arrest in connection with Deepnagar P.S. Case No. 217 of 2021 registered for the offence punishable under Sections 323, 354, 448 and 302/34 of the Indian Penal Code.

The allegation against all the FIR named accused persons, including the petitioner is of indiscriminate firing upon the husband of the informant. It is further alleged that co-accused 'Pramod Yadav' shot her husband in his chest and fled away leaving his vehicle.

Learned counsel appearing on behalf of the petitioner submits that the petitioner was not at all present at the time of occurrence rather he was found working in the shop of M/s



Dinesh Kumar Ashish Kumar situated in New Anaj Mandi, Palwal, Haryana. During the course of investigation, the C.D.R. (Call Details Report) of the petitioner was also collected and it has been found that the petitioner was not present at the place of occurrence.

Considering the afore-noted facts, the Investigating Officer of the case has submitted final form, showing the petitioner as innocent and not sent up him for trial. He lastly submits that the petitioner is a man of fair antecedent and only on account of old enmity his name has been implicated in this case.

On the other hand, learned APP for the State vehemently opposes the pre-arrest bail application of the petitioner and submits that specific allegation has been levelled that all the accused persons have made indiscriminate firing.

Regard being had to the submissions made on behalf of the parties and considering the final form as contained in Annexure – 3 to the bail petition, suggesting serious doubt of the presence of the petitioner at the place of occurrence, coupled with the fair antecedent, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today,



on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Deepnagar P.S. Case No. 217 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Harish Kumar, J)

shivank/-

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

