

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27725 of 2023

Arising Out of PS. Case No.-347 Year-2022 Thana- CHANDAUTI District- Gaya

Chhotu Yadav @ Mahendra Kumar Son Of Late Ganesh Yadav @ Khurkhur
Resident Of Village - Baljori Bigha (Katari Hill), Near Hanuman Mandir, P.S.
- Chandauti, Distt. - Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 27-06-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with
Chandauti P.S. Case No.347 of 2022 registered for the offence
under Sections 342, 326, 307, 120-B and 34 of the Indian Penal
Code and Section 27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 26.12.2022.

The allegation against the petitioner is to fire upon



informant and others causing firearm injuries alongwith other co-accused persons, where dispute arises out of money transactions.

Learned counsel appearing on behalf of the petitioner submitted that the allegation to cause firearm injury is available specifically against co-accused Vinod Paswan and Navin Kumar, where allegation against petitioner is only to hold the injured, which is apparently false implication, due to previous enmities. While concluding the argument, it is submitted that petitioner found involved in one excise case, where he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as allegation of firing is not available against this petitioner coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 26.12.2022, let above named petitioner is directed to be released on bail in connection with Chandauti P.S. Case No.347 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of
learned Additional Chief Judicial Magistrate-VI,
Gaya/concerned court, subject to the conditions as mentioned
under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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