

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29591 of 2023**

Arising Out of PS. Case No.-289 Year-2022 Thana- KHARIK District- Bhagalpur

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CHHABIL YADAV Son of Late Gouri Yadav Resident of Village - Lattipur,
P.S.- Bihpur, District – Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Opposite Party/s : Mr.Anant Kumar 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 307/34 of the Indian
Penal Code and Sections 25(1-b)A, 26, 27 and 35 of the Arms
Act.

3. As per FIR, the allegation against the petitioner is
of firing due to which, the informant's nephew sustained injury.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to old
dispute. He has committed no offence. The victim namely



Rajesh Mandal had abducted the petitioner for which Babhi of the petitioner had lodged a case in connection with Kharik P.S. Case No. 290 of 2022 against him and other, on seeing the police pressure Rajesh Mandal, who is a veteran criminal of the locality had hatched up a conspiracy and falsely implicated this petitioner in the present case. He further submitted that the *fardebayan* and statement of the injured person recorded which is mentioned in vide paras- 21 and 25, which shows that altogether seven persons made indiscriminate fired upon him but the injury report shows that the informant's nephew sustained only one injury on thigh, which does not corroborates the prosecution case. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 24.11.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Court below in connection with
Kharik P.S. Case No. 289 of 2022.

(Sunil Kumar Panwar, J)

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