

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32393 of 2023

Arising Out of PS. Case No.-56 Year-2021 Thana- SALIMPUR District- Patna

SAHEB YADAV Son of Raj Kumar Yadav @ Raj Kumar Singh @ Bhallu
Resident of Village- Alipur, Bihata, P.S.- Salimpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rashmi Sharma, Adv.

For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-07-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Salimpur P.S. Case No. 56 of 2021 registered for the offence
under Sections 341, 323, 307 and 34 of the Indian Penal
Code and Section 27 of the Arms Act.

The petitioner is alleged to have opened fire upon
the son of the informant causing injury on his left thigh.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. He further submits that the
allegation, as alleged in the F.I.R., is false and fabricated and
the petitioner has not committed any offence. He further



submits that on bare perusal of the F.I.R., it appears that the petitioner allegedly opened fire upon the son of the informant causing bullet injury to his thigh. He further submits that though the allegation of inflicting bullet injury to son of the informant is attributed to the petitioner but the injury report does not support the allegation as alleged in the F.I.R. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner, who is rotting in judicial custody since 07.02.2023.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one but he is on bail in both the cases.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st, Class, Barh, Patna in connection with Salimpur P.S. Case No. 56 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the



Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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