

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33759 of 2023

Arising Out of PS. Case No.-100 Year-2020 Thana- ISMAILPUR District- Bhagalpur

MANOJ YADAV @ MANOJ KUMAR YADAV son of Digambar Yadav
Village- Kamlakund Ps- Ismailpur , Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Jha, Advocate
		Mr. Mirtunjay Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-06-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Ismailpur
P.S. Case No. 100 of 2020 registered for the offence under
Section 147, 148, 149, 307 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 13.10.2022.

The allegation against the petitioner is to open
indiscriminate firing alongwith other named co-accused persons
causing firearm injury to informant/injured having intention to



cause his death, where occurrence is arises out of long standing land dispute.

Learned counsel appearing on behalf of the petitioner submitted that the allegation is appearing false on its face for the reason that in the background of allegation as firing was indiscriminate in nature opened by seven co-accused persons including petitioner but only a single firearm injury was noticed upon the informant/injured and that to of simple in nature. It is further submitted that out of land dispute, present false implication was raised. While concluding the argument, it is submitted that petitioner found involved in one more criminal case and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of nature of injury *qua* allegation regarding firing by seven co-accused persons including petitioner, coupled with the fact that charge-sheet has already been submitted, where petitioner is in custody since 13.10.2022, accordingly, the petitioner, above named, is directed to be released on bail in connection with Ismailpur P.S. Case No. 100



of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Naugachia, District-Bhagalpur/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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