

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36365 of 2023

Arising Out of PS. Case No.-243 Year-2019 Thana- ALOULI District- Khagaria

SHRAWAN YADAV son of LATE KHALTU YADAV Resident of village-
Barkhandi Tola, PS- Mufasil, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandan Kumar Kashyap

For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 307/34 of the Indian Penal Code and Section 27 of Arms Act.

According to the FIR, while the informant was going to collect amount, meanwhile the petitioner along with other co-accused persons surrounded him. Thereafter, on order of this petitioner, co-accused Arvind Yadav fired upon the informant due to which he sustained injury.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case at the instance of one Rajniti Yadav. The alleged occurrence took place on 1.7.2019 but the



FIR has been lodged in delay of 20 days on 21.7.2019. From perusal of FIR, it appears that the petitioner is only alleged to be order giver whereas the specific allegation of shot fire is against co-accused Arvind Yadav. It is further submitted that the petitioner is languishing in judicial custody since 25.1.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Alauli P.S. Case No. 243 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria.

(Sunil Kumar Panwar, J)

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