

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47214 of 2023

Arising Out of PS. Case No.-133 Year-2023 Thana- BARH District- Patna

Gurudev Yadav @ Gurudev Mandal S/O Baso Yadav R/O Village-
Bariyarpur, P.S- Barh, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Shilpi Keshri, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 01-08-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Barh
P.S. Case No. 133 of 2023 registered for the offence under
Sections 147, 149, 341, 323, 307, 427, 504 and 506 of the
Indian Penal Code and Section 27 of the Arms Act.

3. The accused/petitioner is named in the F.I.R. and is
in custody since 24.02.2023.

4. The allegation against the petitioner is to assault
informant and others alongwith 30 named co-accused persons
equipped with deadly weapons including firearms, where
occurrence arises out of previous enmities/land disputes.

5. Learned counsel appearing on behalf of the
petitioner submitted that petitioner has been falsely implicated



with present case out of land disputes and previous enmities, which is apparent from the narration of F.I.R., itself. It is further submitted that allegation to open fire targetting informant is specific against petitioner but same not appearing to cause any injury, which is also apparent from the narration of F.I.R. It is further submitted that as there is no allegation of repeated firing, it can be safely gathered that petitioner was not under intention to cause death in the given set of facts and circumstances particularly, when there is no any intervening circumstance. While concluding the argument, it is submitted that petitioner found involved in two more criminal cases, where he is on bail in one case 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.

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

7. In view of the facts and circumstances as mentioned above and by taking note of the nature of allegation, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 24.02.2023, accordingly, petitioner, above named, is directed to be released on bail in connection with Barh P.S. Case No. 133 of 2023 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 District and Sessions Judge, 1st Barh/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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