

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48296 of 2023

Arising Out of PS. Case No.-400 Year-2022 Thana- MUNGER MUFFASIL District- Munger

RAJESH YADAV @ RAJESH KUMAR SON OF BIJAY YADAV
RESIDENT OF VILLAGE - MAHULI, P.S. - MUFFASIL, DISTRICT -
MUNGER

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indu Bhushan, Advocate

For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 03-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection
with Muffasil P.S. Case No.400 of 2022 dated 03.11.2022
registered for the offence/s punishable under Section/s 147, 148,
149, 324, 307, 504 and 506 of the Indian Penal Code and Section
27 of the Arms Act.

3. The main submissions advanced by the
learned counsel for the petitioner are that altogether 14 persons
including the petitioner have been named in the FIR but against
any of them there is no specific allegation and the allegation of
firing and causing fire-arm injuries to the informant's brother and
another person namely Sumit Kumar is a general and omnibus and
the injuries of the said injured persons have been discussed in the
order impugned which goes to show that both the said injured



persons sustained simple injuries. Further submissions are that the petitioner has been languishing in jail since 22.01.2023 and against him the investigation has been completed and the alleged offence under Section 307 IPC is not made out against him and at the place of occurrence any used cartridge was not recovered and the informant is not the eye witness of the alleged occurrence.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the facts that against the petitioner there is no specific allegation and 14 persons including the petitioner have been named in the FIR and also taking into account the petitioner's custody period and against him the investigation has been completed, in my opinion, in the said circumstances the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above be released on bail in connection with Muffasil P.S. Case No.400 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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