

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56061 of 2023

Arising Out of PS. Case No.-206 Year-2023 Thana- NARPATGANJ District- Araria

RANVIR KUMAR YADAV SON OF BINOD YADAV @ VINOD YADAV
R/O-GORRAHA, WARD NO. 7, P.S.-NARPATGANJ, DISTT.-ARARIA
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Ravish, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-08-2023 Heard the parties.

The petitioner is in custody in connection with Narpatganj P.S. Case No. 206 of 2023 for the offence under sections 147/148/149/341/323/307 of the Indian Penal Code as also sections 25(1-b)a/26/35/27 of the Arms Act lodged on 25.04.2023 by the informant, Raghiya Devi.

As per the prosecution story, the allegation is that the accused persons were installing pillars on the land of the informant. On objection, allegation is that number of accused persons assaulted/opened fire causing injuries to the informant side.

The allegation are as follows:

(i) Durganand Yadav fired a bullet which hit the thigh of the informant's husband whereas the second bullet hit his head;



(ii) Amrendra Yadav opened fire on her grand child Amit Kumar which hit his thigh and he also fell down;

(iii) the five year old son of Shrawan Sardar came out and due to indiscriminate firing caused by Ranjit Mishra, he also sustained injury on the head;

(iv) Hari Sardar was inflicted injury by Jay Narayan Yadav and Sikandar Yadav on his leg;

(v) Kimmu Yadav, Kalanand Yadav, Lalan Yadav, Rahul Yadav and Mintu Kumar assaulted informant's husband , her grand child as also Pintu Yadav with iron rods;

(vi) Arun Yadav, Awjit Kumar and Ranveer Yadav (the petitioner herein) were exhorting the accused persons to open fire. Accordingly, the FIR.

Learned counsel for the petitioner submits that from the FIR, it is clear that the specific allegation has been made against the accused persons, no allegation of opening fire is attributed to this petitioner save and except that he was exhorting for which he has already suffered by being in custody since 26.04.2023 (as stated in paragraph 4 of the petition) and do not have criminal antecedent.

Mr. Jitendra Kumar Singh, learned APP, on the other hand submits that in a pre planned manner, they firstly tried to



install pillars on the land of the informant and as they were armed variously, upon objection, assaulted her husband, grand children, neighbour's children as also neighbour causing injury.

Though allegations are there, number of family members of informant have been assaulted and sustained injuries, so far as this petitioner is concerned, no allegation of firing is on him, is in custody since 26.04.2023 and do not have criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Narpatganj P.S. Case No. 206 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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