

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55902 of 2022

Arising Out of PS. Case No.-366 Year-2019 Thana- NAWADA MUFFASIL District- Nawada

SAKALDEO YADAV @ SHAILENDRA KUMAR SON OF MUSAFIR
YADAV R/O VILLAGE- BHARATPURA, P.S.- MUFFASIL, DISTT-
NAWADAH

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Ram Prawesh Kumar
For the Opposite Party/s	:	Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 323, 341, 324, 307, 504 and 506 of the Indian Penal Code and section 27 of the Arms Act.

Prosecution case relates to opening fire by the petitioner upon Krishna Yadav (uncle of the informant) but mistakenly the same hit to Jully Yadav, brother of the petitioner.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to land dispute and village politics. For the same occurrence, two cases have been lodged. Petitioner was not arrested on spot nor



any incriminating article has been recovered from his conscious possession. In fact, informant side fired upon the brother of the petitioner, namely Jhuli Yadav as a result of which he sustained gun shot injury on his thigh and the present case is counter blast case of Muffasil P.S. Case No. 365 of 2019 which was lodged by the sister-in-law of the petitioner against the informant and his family. Petitioner is languishing in judicial custody since 23.07.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Nawada in connection with Muffasil P.S. Case No. 366 of 2019.

(Sunil Kumar Panwar, J)

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