

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60080 of 2023

Arising Out of PS. Case No.-132 Year-2022 Thana- BELDOUR District- Khagaria

Pintu Yadav S/O- Achchhelal Yadav @ Achhelal Yadav R/O- Village- Kanjari,
Ward No. 10, P.S.- Beldaur, Dist.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandan Kumar Kashyap, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-09-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. The petitioner seeks bail in connection with
Beldaur P.S. Case No. 132 of 2022 registered for the offence
under Sections 307/34 of the Indian Penal Code and 27 of the
Arms Act.

3. The accused/petitioner is named in the F.I.R. and
is in custody since 31.05.2023.

4. The allegation against the petitioner is to fire
upon informant causing bullet injuries having intention to cause
his death, where occurrence arises out of land dispute.

5. Learned counsel appearing on behalf of the
petitioner submitted that petitioner was falsely implicated with
present case and same appears from his contradictory version



itself as recorded during the course of investigation in para 10th of case diary as his restatement. It is submitted that during occurrence injured/informant stated through first information that he was caught hold by Isar Yadav, whereas in his restatement it was stated by him that this petitioner and Isar Yadav both were holding him during the course of occurrence and in said circumstances, the allegation of firing is appearing non-convincing on its face against this petitioner. It is further submitted that the occurrence took place out of land dispute. While travelling over the argument, learned counsel submitted that nature of injury is simple and not appearing repeated as to suggest the intention of petitioner causing death of informant/injured. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel Mr. Rajesh Kumar appearing for the informant, while opposing the prayer of bail submitted that the allegation of firing is specific against this petitioner.

7. Considering the facts and circumstances as



mentioned above, and by taking note of contradictory statement of informant/injured, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 31.05.2023, accordingly, above named petitioner is directed to be released on bail in connection with Beldaur P.S. Case No. 132 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the Court of learned Chief Judicial Magistrate, Khagaria/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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