

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63598 of 2023**

Arising Out of PS. Case No.-262 Year-2023 Thana- SAHARSA SADAR District- Saharsa

Jaykishor Yadav @ Jaikishore Yadav Son Of Late Bhumi Yadav Resident Of
Village -Bhaijnath Patti, Ward No. 11, Ps- Saharsa Sadar, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rashmi Jha

For the Opposite Party/s : Mr. Sanjay Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 09-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 341, 323, 307, 504, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per FIR, the informant alleged that due to land dispute the petitioner and co-accused came at his home and started abusing and assaulting. It is further alleged that upon order of the petitioner, co-accused namely, Sachin Kumar Yadav fired upon the informant due to which he sustained gunshot injury on his back side.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. He has falsely been implicated in this case merely on the basis of previous land dispute. There is no specific allegation of firing levelled against the petitioner rather he was merely an order giver and the specific allegation of firing is levelled against co-accused person. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 28.06.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Saharsa P.S. Case No. 262 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa.

(Sunil Kumar Panwar, J)

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