

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64389 of 2022

Arising Out of PS. Case No.-279 Year-2022 Thana- BARHARIA District- Siwan

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SUNIL YADAV @ SUNIL KUMAR YADAV S/O Ram Kishun Choudhary
R/O village- Dudhai Bari, P.S- Barharia, District- Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Vikram Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-02-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Barharia
P.S. Case No. 279 of 2022 registered for the offence under
Sections 341, 307 and 34 of the Indian Penal Code and Section
27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 19.07.2022.

The allegation against the petitioner is to caused
firearms injury along with other co-accused persons, where a
firearms injury was caused on the left thigh of the daughter of
the informant, during course of occurrence, founded over the



disputes, arises out of common passages.

Learned counsel appearing on behalf of the petitioner submitted that allegation as regard to firing is available against co-accused, namely, Ravi Yadav, whereas no overt act is attributed to this petitioner, while participating in the occurrence. It is also submitted that from bare perusal of FIR, allegation is appearing very much general and omnibus. While concluding the argument, it is submitted that petitioner found involved in 01 another case, where, he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as thrust of allegation as regard to firing is available against co-accused, Ravi Yadav, where, allegation against this petitioner is very much general and omnibus coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Barharia P.S. Case No. 279 of 2022, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of
learned Additional Chief Judicial Magistrate-III,
Siwan/concerned court, subject to the condition as mentioned
under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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