

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62144 of 2022

Arising Out of PS. Case No.-175 Year-2022 Thana- BUXAR INDUSTRIAL District- Buxar

Shiv Narayan Yadav S/O Late Sugandh Yadav R/O Village- Ahirauli, P.S
Buxar (Industrial), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-02-2023 Heard learned counsel for the petitioner,

informant and learned A.P.P appearing on behalf of the

State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 147, 148, 149, 341, 323, 307, 504, 506 of

the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per F.I.R is that the

petitioner being owner of P.D.S dealer has refused to

give subsidized foodgrains to the informant and

consequently a verbal quarrel was happened between

them and when the informant threatened to make



complaint, on the instigation of this petitioner, all the F.I.R named accused persons badly thrashed the informant. It is specifically alleged against the son of the petitioner that he shot at the chest of one Piyush Choubey who got firearm injury and fell down.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. It is only alleged against the petitioner that he instigated the accused persons for assaulting the informant and others and except instigation, there is no allegation of any overt act against the petitioner. The petitioner is an old person aged about 62 years and he is languishing in custody since 28.08.2022.

Learned counsel appearing on behalf of the informant and learned A.P.P appearing for the State have vehemently opposed the prayer for bail of the petitioner.



Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar (I) P.S. Case No. 175 of 2022.

(Sunil Kumar Panwar, J)

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