

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67798 of 2022

Arising Out of PS. Case No.-201 Year-2021 Thana- NIRMALI District- Supaul

Ramlakhan Yadav S/O Laxman Yadav R/O Village- Dudhaila, P.S-Nirmali,
District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Sr. Advocate Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 17-04-2023 Let the defects, if any, pointed out by the office be removed within four weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

2. Heard learned senior counsel for the petitioner and the learned APP for the State.

3. Petitioner seeks regular bail in connection with Nirmali P.S. Case No. 201 of 2021 dated 28.12.2021 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 326, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

4. The main submissions advanced by learned senior counsel for petitioner are that as per the allegations levelled in the FIR this petitioner allegedly fired at Jai Narayan Yadav and

other co-accused Dinesh Yadav is also stated to have fired at the said victim but the said allegation has been falsified by the injury report of the said victim which shows one lacerated wound and three abrasions on his body and the weapon used in causing the said injuries has been opined as hard and blunt object as per medical expert's opinion and all the injuries of the said victim has been opined to be simple in nature and one other person namely, Mahesh Yadav is stated to have sustained injuries in the alleged occurrence whose injuries have also been opined to be simple in nature. Further submissions are that the petitioner and prosecution party are agnates and there is a case and countercase and in the present time a good sense has prevailed in between them and the petitioner has been languishing in jail since 18.08.2022 and several persons including the petitioner have been named in the FIR.

5. Learned APP for the State has opposed the bail prayer of the petitioner.

6. Considering the above submissions and mainly the nature of injuries with regard to the injured person namely, Jai Narayan Yadav as opined by the doctor concerned which goes against the nature of allegation levelled against the petitioner in the FIR, in my opinion, it is a fit case for bail to the petitioner. Accordingly,

let the petitioner named above be enlarged on bail on furnishing
bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of
the like amount each to the satisfaction of concerned Court in
connection with Nirmali P.S. Case No. 201 of 2021.

(Shailendra Singh, J)

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