

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73509 of 2022

Arising Out of PS. Case No.-72 Year-2012 Thana- BAKHARI District- Begusarai

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Fazil Yadav @ Ranjeet Yadav S/O Late Ram Narayan Yadav resident of
village- mouzi than singh, ward no-04, p.s.- Bakhri, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-03-2023 Heard learned counsel appearing on behalf of the

petitioner and learned APP 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 Bakhri
P.S. Case No. 72 of 2012 registered for the offence under
Sections 341, 324 and 307 of the Indian Penal Code and Section
27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 31.08.2022.

The allegation against the petitioner is to open fire
upon informant, along with other unknown co-accused persons,
to cause fire arm injury due to previous enmity.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner has falsely been implicated in the present case, where name of the petitioner surfaced, during the course of investigation, on the basis of confessional statement of the co-accused, namely, Vijay Yadav, in furtherance which no incriminating material recovered/surfaced which may connect petitioner, *prima facie*, with the present set of occurrence. It is further submitted that said co-accused person has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 28091 of 2012 vide order dated 03.08.2012. It is also submitted that petitioner was not put on TIP, as yet. While concluding the argument, it is submitted that petitioner found involved in two (2) more cases, where he is on bail and, moreover, investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

In view of the facts and circumstances as mentioned above and as save and except confession, nothing appears against this petitioner 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 Bakhri P.S. Case No. 72 of 2012 on furnishing bail bond of Rs.10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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