

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7655 of 2024

Arising Out of PS. Case No.-103 Year-2020 Thana- CHAUTHAM District- Khagaria

Pandav Yadav S/O Rabindar Yadav Village- Sonbarsha, Ps. Choutham, Dist. Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Roshan Kumar Mishra

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Sections 323, 341, 384, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The allegation against the petitioner along with others is of firing upon the father and brother of the informant, due to which, the brother of the informant sustained injury.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. From the perusal of the FIR, it is evident that this petitioner and co-accused Rinkesh Yadav fired upon the brother of the informant but there is no specific overt act of firing against this petitioner. The statement of the injured



namely, Nitish Kumar @ Nitish Munni has been recorded, which has come in para-51 of the case diary, that co-accused Rinkesh Yadav fired two rounds upon him and the bullet hits in his abdomen and he has even not taken the name of the petitioner. He further submitted that the other co-accused namely, Rinkesh Yadav has already been granted bail by a Co-ordinate Bench vide order dated 29.03.2022 passed in Cr. Misc. No. 48930 of 2021 and its analogous case. He is languishing in judicial custody since 10.07.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Khagaria in connection with Chautham P.S. Case No. 103 of 2020.

(Sunil Kumar Panwar, J)

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