

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16680 of 2024

Arising Out of PS. Case No.-701 Year-2023 Thana- CHANPATIA District- West Champaran

Mukesh Yadav @ Mukesh Kumar Yadav S/o Vinod Yadav R/o vill - Puraina
Kharag, Pokhariya, P.S. - Chanpatia, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey, Advocate Mr. Amit Kumar Pandey, Advocate
For the Opposite Party/s	:	Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Chanpatiya P.S. Case no. 701 of 2023, registered under sections 307, 147, 148, 149, 323, 325, 326 and 120B of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that on having received information, the informant and other police personnel reached the place of occurrence where there was fight between two groups relating to their superiority. It is stated that in the firing resorted to by both the sides, as a result of firing by this petitioner one Vindhyachal Sahani sustained injury. It is further stated that on information having been



gathered, a raid was conducted in the house of Jahangir Ansari where Vindhyachal Sahani was present with some bandage on his left elbow.

4. Learned counsel for the petitioner submits that neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession. He has been falsely implicated in the case because of his antecedents. The manner of occurrence and the cause of injury on the person of Vindhyachal Sahani is also otherwise than what has been narrated in the FIR. In fact, Vindhyachal Sahani was present at the house of Jahangir Ansari with some bandage over his left elbow. In any case the petitioner was not arrested at the spot. He is in custody since 1.12.2023 and investigation in the case has concluded.

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

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the FIR together with his having remained in custody since 1.12.2023, the petitioner is directed to be enlarged on bail in connection with Chanpatiya P.S. Case no. 701 of 2023, on furnishing bail bond of Rs.10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran.

(Partha Sarthy, J)

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