

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29107 of 2024

Arising Out of PS. Case No.-279 Year-2022 Thana- BARHARIA District- Siwan

Ravi Yadav son of Dinesh Yadav Village- Dudhaibari Lakdi Dargah Ps-
Barharia Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Devendra Kr. Sinha, Sr. Adv. Mr. Ajay Kumar Pandey, Adv. Mr. Alexander Ashok, Adv.
For the Opposite Party/s :		Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 09-08-2024 Heard learned counsel appearing on
behalf of the parties.

2. The petitioner seeks bail in
connection with Barharia P.S. Case No. 279 of
2022 registered for the offence under Sections
341/307/34 of the I.P.C. and under Section 27 of
the Arms Act.

3. The petitioner is named in the F.I.R.
and is in custody since 29.02.2024.

4. The allegation against the petitioner
is to open fire upon the daughter of the
informant along with other co-accused persons



causing bullet injuries on her right thigh during the occurrence, where it is alleged to be arising out of land dispute.

5. Mr. Devendra Kr. Sinha, learned senior counsel appearing on behalf of the petitioner submitted that the allegation of firing from the narration of FIR suggests that it was not made intentionally to cause death. It is further submitted by learned senior counsel that despite of having close vicinity, no firing was made on the vital part of the body, without having any intervening circumstances, which suggest that despite of having deadly weapon in hand as alleged, the intention of petitioner was not to cause death and therefore the implication of petitioner for the offence under Section 307 of the I.P.C., not appearing convincing. It is submitted that occurrence is arising out of land dispute because the informant was also the purchaser of the same land which was already purchased by the



informant and moreover investigation of this case is already completed and as such there is no chance of tampering with the evidence.

6. Learned APP while opposing the prayer of bail submitted that the allegation of firing is specific against the petitioner, which caused bullet injury on thigh of the daughter of the informant.

7. In view of the aforesaid facts and circumstances and by taking note of allegation in totality where petitioner is in custody since 29.02.2024, coupled with fact that investigation of this case has already been completed, accordingly, petitioner above named, is directed to be released on bail in connection with Barhariya P.S. Case No. 279 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. 1st Siwan/concerned court, subject to the conditions as mentioned under Section 437(3)



of the Cr.P.C.

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(Chandra Shekhar Jha, J)

