

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38846 of 2024

Arising Out of PS. Case No.-699 Year-2023 Thana- BIHPUR District- Bhagalpur

Shivnandan Yadav S/o Chandeshwari Yadav R/o Village-Birbanna, P.S.-
Bihpur(Bhawanipur), District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Adv.

For the Opposite Party/s : Md. Ataur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 05-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bihpur(Bhawanipur) P.S. Case No. 699 of 2023 dated 13.11.2023 registered for the offences punishable under Section 147, 148, 149, 448, 323, 307, 379, 384, 385, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons along with 4-5 unknown miscreants armed with weapons are alleged to have come to the house of the informant and started firing. In the meantime, the petitioner fired on the head of the informant's son Gulshan Yadav and the



co-accused, Bhola Yadav fired on the left side of the Panjra of the informant's wife. Further, the accused persons looted Rs. 1,50,000/- and jewellery.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the possession of the petitioner. The name of the petitioner has transpired in this case merely on suspicion. The charge-sheet has already been submitted against the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has three criminal antecedents in which he is on bail in all the cases as stated in para 3 of the bail petition. The petitioner is in custody since 16.03.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that the specific allegation of firing is against the petitioner. The injured Gulshan Yadav sustained lacerated wounds measuring 1"x1/3"x1/3" and the opinion was kept reserved.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned A.C.J.M.-1st,
Naugachia, Bhagalpur in connection with Bihpur P.S. Case No.
699 of 2023, with the condition:-

(i) The petitioner is directed to remain physically
present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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