

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43099 of 2024

Arising Out of PS. Case No.-196 Year-2021 Thana- NAYA RAM NAGAR District- Munger

Madan Yadav @ M. C. Yadav S/o Upendra Yadav @ Opi Yadav R/o Village Heru Diyara Kalisthan, P.S. Naya Ram Nagar, Sufia Sarai O.P, District Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Devika Rani, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

4 22-11-2024 This is second application for grant of regular bail to the petitioner and earlier application for the grant of regular bail to the petitioner was rejected vide order passed in Cr. Misc. No.5382 of 2024 on 15.02.2024 by this Court.

2. Heard learned counsel appearing on behalf of the parties.

3. The petitioner seeks bail in connection with Naya Ram Nagar (Safia Sarai) P.S. Case No.196 of 2021 registered for the offence under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code and Section 27 of Arms Act.

4. As per prosecution case, all the accused persons assaulted the informant by means of brick and also abused filthy language.



5. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted petitioner is in custody since 11.09.2023 more than one year. It is submitted by learned counsel that there is no substantive progress in the case against the petitioner before the trial court and only case is committed on 24.07.2024 by learned Additional Chief Judicial Magistrate-I, Munger. It is also submitted that nothing has been surfaced during course of investigation which may connect this petitioner with the present set of occurrence. It is also submitted that only specific allegation as regards to cause one firearm injury has been levelled against this petitioner. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 11.09.2023.

6. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

7. Considering the facts and circumstances and submissions made on behalf of the petitioner and as the petitioner is in custody since more than one year and as there is no substantive progress in the case against this petitioner before the trial court, where, only case is committed on 24.07.2024 by learned ACJM-I, Munger, and as only one gun shot injury found



on the body of the victim, let the petitioner, above named, is directed to be released on bail, *after framing of the charge*, in connection with Naya Ram Nagar (Safia Sarai) P.S. Case No.196 of 2021 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Munger.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of this order.

(Ramesh Chand Malviya, J)

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