

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43058 of 2024

Arising Out of PS. Case No.-186 Year-2017 Thana- DARAUNDA District- Siwan

=====

NANHE YADAV @ NANHE KUMAR YADAV S/O LATE RAGHO
YADAV R/O VILLAGE- DIBI, P.S- M.H. NAGAR, DISTT.- SIWAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Udit Narayan Singh, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad , APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 19-12-2024 Heard learned counsels for the parties.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code and section 27 of the Arms Act.

3 . The prosecution case in brief, is that on the alleged date and time of occurrence , when informant was returning home with his uncle , they were intercepted by the accused persons and it is alleged that one Kalyan Yadav opened fire but he saved himself. In the meanwhile , this petitioner along with co-accused Dinesh Yadav @ Lalli Yadav fired upon the uncle of informant due to which he died on the spot.

4. Learned counsel for the petitioner submits that no such occurrence as alleged has taken place and the entire prosecution is false and concocted. It is further submitted that



though this petitioner along with Lalli Yadav are alleged to have fired but only one fire arm injury has been found by doctor in post mortem report, so it creates strong doubt against the prosecution case . Police after investigation submitted final form against this petitioner but differing with the same Court below has taken cognizance . Petitioner is in custody since 06.03.2024 .

5 . Learned A.P.P. for the State vehemently opposed the bail application .

6. Considering the nature of accusation and period of custody, the bail application is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM – I Siwan in connection with Daraunda P. S. Case No. 186 of 2017.

(Prabhat Kumar Singh, J)

Koushik/-

U		T	
---	--	---	--

