

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51337 of 2024**

Arising Out of PS. Case No.-32 Year-2024 Thana- Champanagar District- Purnia

Devan Yadav, aged about 49 years, Male, Son of Late Ashin Yadav, R/O-  
Village- Singhiya, Ward No. 10, P.S.- Champa Nagar, Distt.- Purnia.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Rakesh Kumar Jha, Advocate  
For the Opposite Party : Mr. Nand Kishore Prasad, A.P.P.

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

ORAL ORDER

2      12-08-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks bail in connection with  
Champa Nagar P.S. Case No. 32 of 2024 dated 13.05.2024  
registered for the offences punishable under Sections 307/34 of  
the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, on 13.05.2024 at about  
3.30 P.M., the informant alongwith his mother had went to the  
maize field to cut grass and bring it, where the co-accused  
Nayan Yadav, Ajay Yadav and Devan Yadav (petitioner) were  
already sitting in ambush. Seeing the informant and his mother,  
the co-accused Nayan Yadav and Ajay Yadav started firing from  
their pistols, as a result of which, the informant sustained



injuries in the elbow of his left hand and below the knee of his right leg. When the informant's brother Sunil Yadav and other villagers came after hearing the noise, accused persons including the petitioner ran away from there by firing bullets. Thereafter, the informant was brought to the Sadar Hospital, Purnea for his treatment. The informant had a previous dispute with the co-accused Nayan Yadav.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the elder brother of the petitioner had lodged K. Nagar (Champa Nagar) P.S. Case No. 91 of 2021 under Sections 307/34 of the I.P.C. and 27 of the Arms Act. Later on, Section 302 of the I.P.C. was added and the informant pressurized the petitioner to compromise the said case but he petitioner denied to do the same, annexed as Annexure-P/2 to the present bail application. The informant had no any alternate other than lodged the present false case against the petitioner. There is no eye witness to the alleged offence and police has also not recovered any bullet from the spot. No incriminating article has been recovered from the conscious possession of the petitioner. There is general and omnibus allegation against the petitioner. There is no specific allegation of firing on the



informant is against the petitioner rather the petitioner is an order giver. The specific allegation of firing on the informant is against the co-accused Nayan Yadav and Ajay Yadav. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 16.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the injuries on the informant were found grievous in nature caused by hard and blunt substance.

6. Considering the aforesaid facts and circumstances of the case, 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 C.J.M. Purnea in connection with Champa Nagar P.S. Case No. 32 of 2024.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

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