

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57356 of 2024

Arising Out of PS. Case No.-90 Year-2024 Thana- HARNAUT District- Nalanda

Ramesh Yadav Son Of Late Ram Ugrah Yadav Village- Kharuara, Ps- Harnaut
(Chero Op), Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Adv.

For the Opposite Party/s : Mr.Jagdhari Prasad, APP

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

ORAL ORDER

2 27-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. Learned counsel for the petitioner is permitted to make necessary correction in para 1 of the bail petition in course of the day.

3. The petitioner has preferred this application for grant of regular bail in connection with Harnaut (Chero OP) P.S. Case No. 90 of 2024 dated 18.02.2024 registered for the offences punishable u/ss 147, 148, 149, 341, 342, 323, 354, 302, 504, 506 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

4. As per the prosecution case, the petitioner and the co-accused persons holding pistol and knife are alleged to have



come and caught hold of the informant's husband and the co-accused, Gautam @ Lallu fired on the neck of the informant's husband from behind and the co-accused persons Sonu @ Pasia, Pawan Yadav, Nepali Yadav, Sanjay Yadav and Ashok Yadav fired on the informant's husband due to which he sustained several injuries in his stomach, backbone, waist and thigh. The co-accused, Karu @ Akhilesh Yadav assaulted the right side of ribs of the informant's husband. The co-accused, Kundan Yadav slammed down the informant's daughter after catching hold of her hair. When the informant came to rescue, the co-accused Subodh Yadav and Vipul Yadav slammed down due to which she fell down and when the informant's brother-in-law Nitish Kumar tried to save her then the accused persons opened fire on him but Nitish Kumar any how saved his life. Thereafter, the accused persons fled away after opening fire and threatened to kill them.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no specific allegation of firing against the petitioner rather the only allegation of catching hold of the deceased. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the



petitioner was not present at the place of occurrence. Learned counsel has further submitted that the petitioner has no concern with the alleged offence. The petitioner has three criminal antecedents in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 06.03.2024.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. 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 Court concerned, Nalanda at Bihar Sharif in connection with Harnaut (Chero OP) P.S. Case No. 90 of 2024.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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