

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62091 of 2023

Arising Out of PS. Case No.-121 Year-2019 Thana- CHHABILAPUR District- Nalanda

Dhirendra Yadav @ Dhiraj Yadav Son Of Late Rajo Yadav @ Late Rajo Prasad Resident Of Village - Keshari Bigha, P.S. - Chhabilapur, District - Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

5 12-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks regular bail in connection with Chhabilapur P.S. Case No. 121 of 2019 registered for the offence under Sections 307 / 34 of IPC and Section 27 of the Arms Act.

3. As per the prosecution case, the allegation against the petitioner is that he alongwith other co-accused person armed with pistol fired on the informant which caused injury on his arm while he was sleeping on the roof with his wife.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. There is no independent eye witness to the alleged



occurrence. He is custody since 10.04.2023.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of the FIR, injury report and impugned order dated 03.08.2023 passed by learned Sessions Judge, Nalanda at Biharsharif, it appears that no person is involved in the alleged occurrence and firing with arms or assaulted the victim. Considering the aforesaid facts and circumstances of the case and also taking into account the period of custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - II, Nalanda at Biharsharif in connection with Chhabilapur P.S. Case No. 121 of 2019.

(Ramesh Chand Malviya, J)

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