

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62918 of 2024

Arising Out of PS. Case No.-303 Year-2023 Thana- BARAHAT District- Banka

Soljar Yadav, S/o- Sadanand Yadav, Resident of Village -Laskari, P.S and
Dist- Banka Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Pandey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 13-09-2024 Heard Mr. Dhananjay Pandey, learned counsel for the
petitioner and Mr. Rajendra Prasad Nat, learned APP for the State.

2. Petitioner seeks regular bail in connection with
Barahat P.S. Case No. 303/2023 dated 26.12.2023 registered for
the offences punishable under Sections 341, 323, 307 read with
Section 34 of the Indian Penal Code and Sections 25(1b)a, 26 and
35 of the Arms Act.

3. Learned counsel for the petitioner submits that as per
the FIR, there is no specific allegation of assault against the
petitioner in fact, the allegation is general and omnibus and the
injury of the injured person is simple in nature and there is no
recovery of firearms from the conscious possession of the
petitioner. Learned counsel further submits that the petitioner is a
24 year old person having fair and clean antecedent and has been
languishing in jail since 11.04.2024 and he has been implicated in
the present case due to previous grudge and enmity.



4. Learned APP appearing for the State has opposed the bail prayer.

5. Having regard to the submissions made above and taking into account the facts and circumstances of this case and mainly the facts that the petitioner has fair and clean antecedent and he is said to be a 24 year old person and in the FIR, there is no specific allegation against him though as per the allegation, the firearm was being carried by the accused who were said to be three known and four unknown persons including the petitioner but the said allegation is not specific against him and furthermore, the alleged firearm was produced by the villagers before the police and also taking into account the petitioner’s custody period and the completion of the investigation against him as per the above submission, in my opinion, in the said circumstances, the petitioner deserves to the privilege of grant of bail. Accordingly, let the petitioner named-above 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 concerned Court in connection with Barahat P.S. Case No. 303/2023.

(Shailendra Singh, J)

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