

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64682 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- SARE District- Nalanda

Ranjit Yadav Son of Mahesh Yadav Resident of Village - Godwa (Gorwa)
Bartar, P.S. - Sare, District - Nalanda, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Adv.
For the Opposite Party/s : Mr.Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 06-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with S. Tr.
No. 601 of 2024 arising out of Sare P.S. Case No. 12 of 2024
(GR No. 488 of 2024) instituted for the offences under Sections
147, 148, 149, 341, 323, 307, 379, 427, 504, 506 of the Indian
Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, all the accused persons
armed with *lathi-danda* came at the house of the Informant and
broke the asbestos roof of his house. The accusation against the
petitioner is of firing on the left foot of the Informant due to
which he sustained gun-shot injuries.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. There is a previous land dispute between the parties. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no criminal antecedent and is languishing in judicial custody since 07.04.2024 without any rhyme or reason. There is neither independent eye-witness nor any independent person of vicinity who has supported the version of the Informant.

5. Learned counsel for the petitioner again submits that the co-accused namely Rajeev Yadav, Islok Yadav and Vijendra Yadav have been granted bail by this Court vide order dated 24.06.2024 passed in Cr. Misc. No. 42439 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the allegation leveled against the petitioner is grievous in nature. The injury report also supports the prosecution case and, thus, he does not deserve bail.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as



also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Court below/concerned Court in connection with S. Tr. No. 601 of 2024 arising out of Sare P.S. Case No. 12 of 2024 (GR No. 488 of 2024), subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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