

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67810 of 2024

Arising Out of PS. Case No.-1037 Year-2023 Thana- KHAGARIA District- Khagaria

Sanjay Yadav S/o Late Ramashish Yadav Resident of Village- Bari Kothiya,
PS- Muffasil, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh

For the Opposite Party/s : Mr. Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 26-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in Khagaria Muffasil P.S. Case No. 1037 of 2023 instituted for the offence punishable under Sections 341, 323, 307, 353, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, in the backdrop of land dispute, occurrence took place between two parties for which, Khagaria Muffasil P.S. Case No. 724 of 2023 was registered and the same is under investigation. Both parties are trying to get possession over it. An altercation took place between them and both started firing incessantly and thereafter on information of local chaukidar, police officials lodged FIR against the accused persons.

4. It is submitted by learned counsel for the petitioner



that the petitioner has been falsely implicated in this case. Real fact is that the police has himself opened one round firing and thereafter, false case has been registered against the accused persons including the petitioner. Entire prosecution story is false, based on fabricated story. No any person has sustained any type of injury, so section 307 IPC does not attract in this case. No incriminating article has been recovered from possession of the petitioner. No specific allegation of firing is against the petitioner. The petitioner is languishing in judicial custody since 22.06.2024.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of Sri A.K. Pandey, learned Judicial Magistrate-Ist Class, Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 1037 of 2023.

(Nawneet Kumar Pandey, J)

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