

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80197 of 2023

Arising Out of PS. Case No.-13 Year-2023 Thana- SIKRAUL District- Buxar

Shivjee Singh @ Tuna Yadav Son Of Budhan Yadav R/O Village- Paniyari,
P.S.- Sikraul, Dist.- Buxar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 504, 307, 34 of the Indian Penal Code and Section 27 of Arms Act.

3. As per prosecution case, the petitioner along with co-accused persons reached at the house of informant started abusing and assaulting him. In the meantime, the petitioner opened fire which hit on left shoulder of the informant and left leg of another girl namely, Mamta Kumari.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to village politics. It is further submitted vide para 7 of the petition that during course



of investigation, it has come into light that the informant himself consumed liquor at the time of occurrence. The mother of the said victim girl stated that fight was being done between both the parties and to save the skin of the informant, this False FIR has been lodged. There is case and counter case between the parties. The petitioner has got no criminal antecedent and he is languishing in judicial custody since 4.9.2023.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that there is specific allegation of firing against this petitioner.

6. Considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Sikraul P.S. Case No. 13 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Buxar.

(Sunil Kumar Panwar, J)

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