

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81664 of 2023

Arising Out of PS. Case No.-116 Year-2020 Thana- MANSI District- Khagaria

Bhutti Yadav son of Jaijai Ram Yadav, Resident of Village- Morkahi Baba
Tola, P.S.- Muffasil, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-01-2024 Heard Mr. Ranjeet Kumar Singh, learned counsel for
the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Mansi P.S. Case No. 116 of 2020 registered for the offences punishable under Sections 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegedly, while the informant was going to his in-laws house on his motorcycle, in the meantime, all the FIR named accused persons chased him and further, co-accused Bilash Yadav made fire upon him due to which he sustained injury in his thigh. The petitioner also made fire upon the informant but he unscathed from the said firing.

4. It is submitted on behalf of the petitioner that allegedly the occurrence took place on 13.04.2020 but the FIR



has been instituted on 17.04.2020 after delay of four days and no plausible reason has been explained, that too when the accused persons and the informant are co-villagers. It is further submitted that even as per the narratives made in the FIR, though there is allegation of firing against the petitioner, but admittedly due to which no injury has sustained to the informant. So far the injury is concerned, that has been attributed to the co-accused Bilash Yadav. It is lastly submitted that the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation or in the proceeding of the court and would not indulge in such type of crime in future.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that the FIR has been instituted in the year 2020 and the petitioner has moved before the learned court below in the year 2023 after delay of three years.

6. Regard being had to the submissions made on behalf of the parties and considering the delay in lodging of the FIR and the fact that the injury is not attributed to the petitioner, coupled with the fair antecedent and the undertaking given before this Court, let the above named petitioner, be released on



bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Mansi P.S. Case No. 116 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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