

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4067 of 2025

Arising Out of PS. Case No.-675 Year-2024 Thana- JAMUI District- Jamui

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Pawan Yadav S/o Mahendra Yadav R/o Village- Garshanda, P.S.- Jamui,
District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 12-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Jamui
P.S. Case No. 675 of 2024 dated 16.10.2024, instituted for the
offence punishable under Sections 118(1), 118(2), 109, 3(5) of
the B.N.S. and Section 27 of the Arms Act.

3. The prosecution case, in short, is that on
14.10.2024, the informant had gone to attend Garbhu Puja in his
village. Upon information that some occurrence has occurred
with his son, he reached home at 08:00 pm, the family was
crying. On asking them, they told that Pintu Yadav was shot on
the road. The villagers took Pintu Yadav to Sadar Hospital,
Jamui. When he reached the hospital, the staff told him that your
son Pintu Yadav has been referred to PMCH, Patna. When he



went to the village, he came to know that Pawan Yadav (petitioner) and Mahendra Yadav of the same village were sitting on the road. Ravindra Yadav came on his motorcycle with Madhusudan Yadav. Ravindra Yadav took out his pistol and fired a shot. After firing, both of them went to his son Pintu Yadav on motorcycle and showed him the pistol from their waist, then Pawan Yadav (petitioner) started asking for it. Ravindra Yadav was not giving the pistol, so in the scuffle between the two, the trigger of the pistol got pressed and the bullet fired, due to which his son Pintu Yadav sustained bullet shot in the stomach and fell down injured. Ravindra Yadav was present at the distance of 10-20 steps from that place, they gave the pistol to him and he ran away to his house with the pistol. The bullet shell was recovered from the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that it is apparent from the impugned order that the informant and victim were present in the court below and they had given in writing that Pawan Yadav and Ravindra Yadav were not involved in the occurrence rather their names were given due to village politics. It is also submitted that there was a scuffle between the petitioner and



Ravindra Yadav and during the course of scuffle, the trigger of the pistol was pressed and fire arm injury was caused in the stomach of informant's son. The said injury was not intentional but caused due to mistake. Lastly, it has been submitted that the petitioner is in custody since 17.10.2024, he has one criminal case against him and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned court of C.J.M., Jamui in Jamui P.S. Case No. 675 of 2024, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.



3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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