

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6412 of 2025

Arising Out of PS. Case No.-199 Year-2024 Thana- SANGRAMPUR District- Munger

Mukesh Yadav @ Mukesh Kumar @ Karnal S/o- Sri Sashidhar Yadav
Resident of Village- Prithwi Chak, PS- Sangrampur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-03-2025 Heard the parties.

2. The petitioner is in custody in connection with Sangrampur P.S. Case No. 199 of 2024 for the offence punishable under Sections 126(2), 115(2), 352, 109 and 3(5) of the Bhartiya Nyaya Sanhita, 2023 and under Section 27 of the Arms Act lodged on 23.09.2024 by the informant, Karuna Devi.

3. As per the prosecution story, the informant alleged that in the evening, when she came out of her house, after some abuse, the accused persons opened fire and allegation is that Chandra Gupta Harsh Bardhan fired, which hit Roshan Kumar causing injury. The other accused Poras Yadav is concerned, he has opened fire which hit Abhishek Kumar. So far as this petitioner is concerned, allegation is that he gave brick blow to the lady causing injury on her head while Sanjeev Yadav gave wooden rod blow to her. This led to the F.I.R.

4. Learned counsel for the petitioner submits that the allegation of firing is/are on Poras Yadav and his son, Chandra



Gupta Harsh Bardhan, however, the injuries have been found to be simple in nature. In the case of petitioner also though brick blow role is assigned to him, again the same has been found to be simple in nature and the last submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioner on its own would like to contribute Rs. 5,000/- towards the medical assistance of the lady (informant) through Demand Draft issued by the local State Bank of India Branch to be submitted before the trial court to be handed over to the informant after checking the credentials.

5. Learned APP, Mr. Uma Shankar Singh opposes the prayer submitting that all of them with unlawful assembly assaulted them.

6. Taking into account the aforesaid facts as also that there is a case and counter case, the injury has been found to be simple in nature, is in custody since 14.10.2024, this Court is inclined to extend him the privilege of bail subject to payment of Rs. 5,000/- as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-1"



Class, Munger, in connection with Sangrampur P.S. Case No. 199 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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