

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64318 of 2025

Arising Out of PS. Case No.-21 Year-2022 Thana- DIGHA District- Patna

Akshay Yadav @ Akshay Kumar Son of Suresh Kumar @ Suresh Kumar
Yadav Resident of Ghusuktola Polson, PS- Digha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Akhauri Kamal Kishore Sahay, Advocate Mr. Rahul Raj, Advocate
For the Opposite Party/s :	Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 04-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Digha P.S. Case No. 21 of 2022 registered for the alleged offences under Sections 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

03. As per prosecution case, the informant received firearms injury while he was going to take tea from a tea stall. The name of the petitioner transpired during investigation as the person who opened fire, which caused injury to the informant.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He has no involvement in the alleged firing. There is no



witness to corroborate the statement of the informant and there is no material available on record to show the involvement of the petitioner in the alleged occurrence. From the injury report, it also appears that no gunshot injury was found on the body of the informant and the allegation is not supported by the injury report. The alleged injury is not grievous and not on any vital part. As there is no repetition of fire, no offence under Section 307 is made out against the petitioner. The petitioner is having antecedent of three cases and he is on bail in two such cases. The petitioner is in custody since 12.07.2024 and charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague nature of allegation and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIII Patna/court concerned in connection with Digha P.S. Case No. 21 of 2022, subject to



the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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