

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3746 of 2021

Arising Out of PS. Case No.-142 Year-2020 Thana- MIRGANJ District- Gopalganj

Aman Yadav Son of Upendra Yadav Resident of Village - Birwat Bazar, P.S.-
Uchkaganw, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Adv.

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 30-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 307/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Allegation against the petitioner is that he was driving
the motorcycle over which co-accused and one unknown
miscreants were on its pillion seat. It is alleged that co-accused
fired upon the informant as a result of which informant
sustained firearm injury on his head.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He submits that there is specific allegation of firing against
the co-accused Jhuna Mian and Naresh Yadav. He submits that
there is no specific allegation of overt act or open firing against



the petitioner rather he is only showing the member of unlawful assembly. He further submits that petitioner bears one criminal antecedent and he is languishing in judicial custody since 25.07.2020.

Considering the facts and circumstances of the case and the fact that there is general and omnibus allegation upon the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Mirganj P.S. Case No. 142 of 2020.

(Anjani Kumar Sharan, J)

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