
(2021) 02 JH CK 0147

In the Jharkhand High Court

Case No : Bail Application No. 7713 Of 2020

Bajranghi Prasad Yadav @ Bajranghi Yadav

APPELLANT

Vs

State of Jharkhand

RESPONDENT

Date of Decision : 17-02-2021

Acts Referred:

Indian Penal Code, 1860 — Section 34, 307, 394
Arms Act, 1959 — Section 27

Citation : (2021) 02 JH CK 0147

Hon'ble Judges : Rajesh Kumar, J

Bench : Single Bench

Advocate : Aashish Kumar, Saket Kumar, Kumari Rashmi

Judgement

Heard learned counsel for the petitioner and learned A.P.P assisted by the counsel for the informant.

The present application has been filed for grant of regular bail to the petitioner in connection with Mohanpur P.S. Case No.96 of 2020, registered

under Sections 394/307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner has submitted that the petitioner is in judicial custody since 09.06.2020 and the allegation against this applicant is that

he has caused grievous injury by fire-arms on the head of the victim. It has been further submitted that vide order dated 06.10.2020, specific query has

been raised regarding whether there is any charring injury by fire-arms has been found by the Doctor or not. In counter affidavit, the injury by fire-

arms has been negated and the investigation has already been completed. Hence, the petitioner deserves to be enlarged on bail.

On the other hand, learned A.P.P. assisted by the counsel appearing for the

informant has opposed the prayer for bail and submission has been advanced that the confessional statement of the accused has been recorded upon which the recovery has also been made. It has been confessed that this applicant has caused injury by fire-arms putting gun on the back side of the head of the victim and as such the petitioner does not deserve the privilege of bail.

Considering the material available on record and the contradiction between the allegation and the nature of injury, the petitioner, named above, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Deoghar in connection with Mohanpur P.S. Case No.96 of 2020 subject to the conditions that the petitioner will submit self attested copy of his Aadhar Card and also give his mobile number before the learned court below which he will not change during pendency of this case without prior permission of the court.