

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21576 of 2020

Arising Out of PS. Case No.-13 Year-2020 Thana- SHANKARPUR District- Madhepura

SUSHIL YADAV Son of Binod Yadav @ Bedhu Yadav Resident of Village -
Hariraha, Ward No. 08, P.S.- Shankarpur, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Rajpati

For the Opposite Party/s : Mrs. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-07-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID-19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Smt. Anita Kumari Singh, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Shankarpur P.S. Case No. 13 of 2020 for the offence punishable under Sections 143 & 188 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding the petitioner and other accused persons having fired gun shots by means of illegal fire arm while they were dancing with the singers after climbing on the stage while an orchestra programme was being conducted on the occasion of Saraswati Puja in the Ram Janki Thakurbari.

The learned counsel for the petitioner has submitted that the



petitioner is innocent, he has been falsely implicated in the present case and is languishing in custody since 20.02.2020. It is further submitted that although the petitioner is accused in one other case but he is on bail in the said case. Lastly, it is submitted that the petitioner has been roped in the present case in a malafide manner.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the period of incarceration of the petitioner herein as also the nature of allegation made against him, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Madhepura in connection with Shankarpur P.S. Case No. 13 of 2020.

(Mohit Kumar Shah, J)

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