

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16773 of 2021

Arising Out of PS. Case No.-94 Year-2020 Thana- BAKHTIYARPUR District- Patna

Adalat Rai @ Adalat Yadav @ Dalo Yadav Son Of Late Durga Yadav
Resident Of Village - Madhopur, P.S.- Bakhtiyarpur, Dist.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Ms. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-07-2021 Heard learned counsel for the petitioner and learned A.P.P. for
the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the
defects within four weeks of resumption of normal court proceeding.
In the eventuality of non-removal of defects within undertaken
period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Bakhtiyarpur P.S.
Case No. 94 of 2020 registered for the offence punishable under
Sections 147, 148, 149, 326, 307, 120 (B) of the of the Indian Penal
Code and Section 27 of the Arms Act.

As per the prosecution case, the allegation against the
petitioner is that he with other co-accused persons armed with pistol
fired upon the brother of the informant as a result of which
informant's brother sustained fire arm injury in his neck and fell
down.

It is submitted by learned counsel for the petitioner that



petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. No such occurrence as alleged ever took place. No incriminating article has been recovered from his conscious physical possession. He submits that during the entire course of investigation only interested and partisan witnesses have been examined and their statements are full of contradictions. He further submits that similarly situated co-accused persons *Suraj Ray @ Suraj Yadav and Karu Ray @ Karu Yadave* have been granted bail *vide* order dated 23.11.2020, passed in Cr. Misc. No. 30853 of 2020 by a Co-ordinate Bench of this Court. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent and has been languishing in custody since 20.06.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Bakhtiyarpur P.S. Case No. 94 of 2020.

(Anjani Kumar Sharan, J)

GAURAV S./-

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