

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24191 of 2021

Arising Out of PS. Case No.-123 Year-2019 Thana- LODIPUR District- Bhagalpur

Sohit Yadav, Son Of Late Bhrahamdeo Yadav Resident Of Village- Khatuha,
P.S.- Lodipur, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Samir Kumar- Advocate

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-11-2021 Heard the learned Advocate for the petitioner and
the learned APP for the State.

The petitioner seeks bail in connection with
Lodipur P. S. Case No.123 of 2019, instituted for the
offences under Sections 302, 120B of the Indian Penal Code
and Section 27 of the Arms Act.

From bare perusal of the F.I.R., it would manifest
that the informant alleges that she was attending the
marriage ceremony in the family of one Congressi Yadav,
when co-accused Ravindra, Birendra and Sohith caught hold
of her husband and exhorted the petitioner and one Sohith
Yadav to fire. It is alleged that Rohit Yadav fired upon the
husband of the informant leading to his death.



The learned counsel for the petitioner submits that petitioner is not the assailant rather it is alleged against him that he was one of the person who caught hold of the deceased. Learned counsel for the petitioner further submits that petitioner is innocent and falsely implicated in this case and is in custody since 17.09.2019. Petitioner is a person with clean antecedents and charge-sheet has been submitted in this case.

It is submitted that co-accused Rohit Yadav @ Rohit Kumar, who is alleged to be assailant, has been granted bail by a Bench of this Court vide order 30.04.2021 passed in Cr. Misc. No.392 of 2021 and co-accused Subuk Lal Yadav @ Subuk Yadav, who is alleged to have provided a gun to Rohit Yadav and Mohit Yadav to kill the deceased, has also been granted bail by a Bench of this Court vide order 07.07.2021 passed in Cr. Misc. No.11741 of 2021.

Learned A.P.P. vehemently opposes the bail application.

Considering the facts afore-stated, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees



Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-X, Bhagalpur in connection with Lodipur P. S. Case No.123 of 2019.

The application stands allowed.

(Satyavrat Verma, J)

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