

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28769 of 2020

Arising Out of PS. Case No.-72 Year-2018 Thana- AGIAON District- Bhojpur

VIKASH YADAV Son of Vinay Singh @ Vinay Yadav Resident of Village -
Baraura, P.S.- Agiaon (Garahari), District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 05-01-2021 Heard the learned counsel for the petitioner and Mrs.
Anita Kumari Singh, the learned APP appearing for the State.

The petitioner seeks regular bail in connection with
Agion (Garahari) P.S. Case No. 72 of 2918 for the offence punishable
under Sections 302/34 of the Indian Penal Code and 27 of the Arms
Act.

The allegation is regarding unknown miscreants having
fired gun shot on the father of the informant, resulting in his death.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and is languishing in
custody since 31.12.2018. The learned counsel for the petitioner has
further submitted that there is no material on record so as to connect
the petitioner with the alleged occurrence. Lastly, it is submitted that
co-accused person has already been granted bail by a co-ordinate
Bench of this Court vide order dated 27.06.2019 passed in Cr. Misc.



No. 38445 of 2019.

Per contra, the learned A.P.P. appearing for the State has vehemently opposed the prayer for bail, made by the petitioner.,

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on records as also those available in the case diary as also considering the parity of the case of the petitioner with that of the co-accused person, who has already been granted bail by a co-ordinate Bench of this Court, 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 bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VII, Bhojpur at Ara in connection with Agioan (Garahari) P.S. Case No. 72 of 2018.

(Mohit Kumar Shah, J)

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