

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28738 of 2020

Arising Out of PS. Case No.-111 Year-2019 Thana- PASRAHA District- Khagaria

SIPAN YADAV S/o Paras Yadav, Resident of Village-Basua, P.S.-Pasraha,
District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishweshwar Ram

For the Opposite Party/s : Mr. Jai Narayan Thakur, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 05-01-2021 Heard the learned counsel for the petitioner and

Shri Jai Narayan Thakur, the learned APP appearing for the

State.

The petitioner seeks regular bail in connection with
Pasraha P.S. Case No. 111 of 2019, G.R. No. 2458 of 2019 for
the offence punishable under Sections 302 of the Indian Penal
Code and 27(i) of the Arms Act.

The allegation is regarding the accused persons
having arrived at the house of the informant and having fired
gun shot on the father of the informant, resulting in his death.
The main allegation is against the co-accused persons namely
Sugan Yadav and Rakesh Yadav of having fired gun shot on the
father of the informant, whereafter they are stated to have come
out of the hut, where the petitioner and one other accused are



stated to have been standing and then they all had fired gun shots in the air and had fled away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 09.01.2020. It is further submitted that as far as the petitioner is concerned, admittedly there is no allegation of him having entered inside the hut and fired gun shots on the father of the informant, thus he can be granted the privilege of bail.

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, this Court finds that prima facie, miniscule evidence is available, as far as the petitioner is concerned, regarding his complicity in the alleged crime hence, 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 Judicial Magistrate, 1st Class, Khagaria in connection
with Pasraha P.S. Case No. 111 of 2019, G.R. No. 2458 of 2019.

(Mohit Kumar Shah, J)

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