

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47989 of 2021**

Arising Out of PS. Case No.-282 Year-2016 Thana- SAHPUR District- Bhojpur

SHANKAR YADAV Son of Late Jagdish Yadav Resident of Village- Saiya
Deya, Police Station- Shahpur, District- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Govind Mishra
For the Opposite Party/s : Mr.Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 23-11-2021 Heard learned counsel for the petitioner, the State and the informant.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 302 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, this petitioner and other accused persons fired upon one Lalji Yadav as a result of which he died.

Learned counsel for the petitioner submits that the police after investigation submitted final form. However, the court below differed with the same and took cognizance of the offence. Similarly situated co-accused Pappu Yadav has already been allowed bail by a co-ordinate bench of this Court vide order passed in Cr.Misc.No. 40971/2018 and some of the



accused persons have also been acquitted in the trial. Petitioner is in custody since 27.2.2021.

Learned counsel appearing for the State and the informant oppose the prayer for bail. They submit that there is specific allegation that this petitioner and other accused persons fired upon one Lalji Yadav as a result of which he died. Besides, the petitioner remained absconding for sometime.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge III, Bhojpur at Ara in Shahpur Police Station Case No. 282 of 2016.

(Prabhat Kumar Singh, J)

shashi/-

U		T	
---	--	---	--

