

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49508 of 2021

Arising Out of PS. Case No.-155 Year-2020 Thana- GAMAHAIRIYA District- Madhepura

Kartik Yadav S/O Late Ram Narayan Yadav R/O Village-Singiyoan, P.S-
Gamharia, District-Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 24-11-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Gamharia P.S. Case No. 155 of 2020, corresponding to S.T. No. 173 of 2021, registered for the offence under Sections 302, 120(B), 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, on 14.09.2020, while the deceased (husband of the informant) alongwith other co-villagers was going on duty, in the meantime, co-accused Anshu Yadav came and shot fire at him, due to which, he died on way to hospital. It is further alleged that this petitioner alongwith other FIR named accused persons are also involved in the alleged occurrence.

It is submitted on behalf of petitioner that specific allegation of firing is against co-accused Anshu Yadav. So far as this petitioner is concerned, he is only alleged to be conspirator



and no specific allegation of overt act has been alleged against him. It is further submitted that similarly situated co-accused persons namely Bindeshwari Yadav, Anil Kumar and Hare Ram Yadav have already been granted bail by this Court, vide order dated 15.06.2021 passed in Cr.Misc. No. 12840 of 2021 (Annexure 2). Petitioner is in custody since 13.02.2021.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VI, Madhepura in connection with Gamharia P.S. Case No. 155 of 2020, corresponding to S.T. No. 173 of 2021.

(Prabhat Kumar Singh, J.)

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