

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37326 of 2020

Arising Out of PS. Case No.-94 Year-2020 Thana- BAKHTIYARPUR District- Patna

SURESH YADAV son of late Durga Yadav Resident of village- Madhopur,
P.S.- Bakhtiyarpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-02-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bakhtiyarpur P.S. Case No. 94 of 2020 for the offence registered
under Sections 147, 148, 149, 326, 307 and 120B of the Indian
Penal Code and Section 27 of the Arms Act.

The allegation is regarding the accused persons
including the petitioner herein having arrived at the door of the
house of the informant whereafter the co-accused persons namely
Sonu Yadav, Fiter, Minta and Raju Yadav, who were armed with
pistol had started firing on the brother of the informant with the
intention to kill him resulting in him sustaining fire arm injury.

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 he is languishing in
custody since 05.05.2020. The learned counsel for the petitioner



has further submitted that as far as the petitioner is concerned, no specific allegation has been levelled by the informant of him having fired on his brother, hence he can at best be said to be a member of the mob.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the petitioner has not been alleged to have engaged in any sort of overt act and moreover he is having a clean antecedent as also he is languishing in custody since 05.05.2020, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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 Chief Judicial Magistrate, Barh, District-Patna in connection with Bakhtiyarpur P.S. Case No. 94 of 2020.

(Mohit Kumar Shah, J)

S.Sb/-

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

