

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.974 of 2021

Arising Out of PS. Case No.-93 Year-2020 Thana- CHANDRADIP District- Jamui

MANTU YADAV, Son of Saudagar Yadav, Resident of Village - Bhaluana,
P.S.- Chandradeep, Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Umesh Prasad, Adv.
For the State	:	Md.Ataur Rahman, APP
For the Informant	:	Mr.Prakash Mahto, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-03-2021 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within four weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 147, 148, 149, 302 of the Indian Penal Code, Section 27 of the Arms Act and $\frac{3}{4}$ of the Explosive Substances Act.

Prosecution case in brief is that on 30.06.2020, the brother of the informant was going to new residential house from old residential house and when he reached near temple of Bajrangabali, then accused persons were present there and



Chhotu Yadav opened fire upon Rajesh Pd. Yadav @ Gujar Yadav and bullet hit over hand of Rajesh Yadav and on his cry, the informant went there and he saw that Lobendra Yadav threw bomb over his brother Rajesh Pd. Yadav which hit over head of his brother and due to which he died at the spot and thereafter the accused persons fled away.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. There is no allegation of overt act against the petitioner and there is general and omnibus allegation against the petitioner. He further submits there is specific allegation against co-accused Chhotu Yadav who fired upon the Rajesh Pd. Yadav @ Gujar Yadav and bullet his over head of his brother and he died at the spot. The petitioner is languishing in judicial custody since 02.07.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail **after verification of criminal antecedent** on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two



sureties of the like amount each in connection with
Chandradeep P.S. Case No. 93/2020 to the satisfaction of the
learned A.C.J.M.-1st, Jamui.

(Anjani Kumar Sharan, J)

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