

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11043 of 2022

Arising Out of PS. Case No.-177 Year-2020 Thana- ARA MUFFSIL District- Bhojpur

1. LAL BAHADUR YADAV S/o - Kanhaya Yadav R/o Village - Daulatpur, P.S.- Ara Muffassil, District - Bhojpur, Bihar.
2. Om Prakash Yadav S/o- Kanhaya Yadav R/o Village - Daulatpur, P.S.- Ara Muffassil, District - Bhojpur, Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-04-2022 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under Section 302 and some other ancillary Sections of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, co-accused, Pankaj Yadav @ Guddu Yadav and Sonu Kumar caught hold of the brother of informant and thereafter it is alleged that co-accused, Pankaj Yadav @ Guddu Yadav took out pistol from his waist and fired on the brother of informant as a result of which he died.

Learned counsel appearing for the petitioners submits



that petitioners are innocent and have falsely been implicated in the case. From bare perusal of the FIR it is apparent that specific allegation of firing upon the deceased is against co-accused, Pankaj Yadav @ Guddu Yadav and no specific overt act has been alleged against these petitioners. Petitioners claim clean antecedent and are in custody since 23.09.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioners, let the petitioners, above named, 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 Additional Chief Judicial Magistrate-VII, Bhojpur at Ara in connection with Ara Muffasil PS case No.177/2020.

(Prabhat Kumar Singh, J)

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