

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25728 of 2022

Arising Out of PS. Case No.-483 Year-2021 Thana- ALOULI District- Khagaria

MALIK YADAV @ HIMANSHU YADAV Son of Late Khalat Yadav @
Ashok Yadav Resident of Village - Alauli, P.s.- Alauli, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Madhuri Lata

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 26-08-2022 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State through video-conferencing.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 147, 148, 149,
307, 302, 379, 120B and 342 of the Indian Penal Code and 27 of
the Arms Act.

As per the prosecution case, the informant and her
husband were going to deliver food to their sons who were
studying in Gurukul. It is further alleged that as soon as they
reached close to the house of Zahru Yadav on pakki road then
all the co-accused persons armed with three knot three rifles
came there and they dragged her husband and on the direction
of co-accused Meera Devi they indiscriminately fired on him
resulting in his death and also snatched 15 bhar golden chain



worth Rs. 75,000/- and thereafter, they fled away while air firing.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. There is general and omnibus allegation against the petitioner. The petitioner is accused in four other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 20.12.2021.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner is main conspirator of the crime alleged.

Considering the aforesaid facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Alauli P.S. Case No. 483 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

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