

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27475 of 2022

Arising Out of PS. Case No.-273 Year-2019 Thana- MANSI District- Khagaria

SUBODH YADAV SON OF LATE KAPLESHWAR YADAV R/O
VILLAGE- SAHORBA, P.S.- CHAUTHAM, DISTRICT- KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Viveka Nandsingh
For the Opposite Party/s	:	Mr. Umanath Mishra
For the Informant/s	:	Mr. Shekhar Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-09-2022 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, learned counsel for the informant and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in a case registered u/s 147, 148, 149, 341, 307, 302, 120B, 504, and 506 of the Indian Penal Code and 27 of the Arms Act.

As per the prosecution case, the informant and his brother with 4-5 persons were making election campaign for the purpose of PACS Chairman in favour of the candidate, Abdul Salam and when they reached Jangli Tola, then all the 14 named



accused persons including the petitioner surrounded them and started abusing them. Further, Manoj Yadav fired at the brother of the informant which hit on his chest and thereafter, Ranjit Yadav also fired. Thereafter, it is alleged that the brother of the informant tried to escape, but the co-accused Nandlal Yadav, Ravindra Yadav and the petitioner Subodh Yadav also fired causing injury to the brother of the informant and when the informant along with other went to save his brother, all the accused persons started firing causing injury on the hand of Abdul Salam.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case due to political rebel. The petitioner is accused in four other criminal cases as stated in para 3 of the bail petition. There is general and omnibus allegation against the petitioner and the specific allegation of firing is against the co-accused Manoj Yadav who fired on the chest of the deceased. It is further submitted that the co-accused Manoj Yadav has already been granted bail by the Co-ordinate Bench vide order dated 04.08.2021 passed in Cr. Misc. No. 31376 of 2021. The petitioner is in custody since 11.01.2022.

Learned A.P.P. for the State and learned counsel for



the informant have vehemently opposed the bail petition of the petitioner by submitting that other co-accused have been granted bail after detention of more than one year and also the case of the petitioner is not on similar footing. One of the injured also stated that the petitioner along with the co-accused Ravindra Yadav and Subodh Yadav fired causing injury to the brother of the informant. One more case has been surfaced by the informant against the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, 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 concerned Court below, in connection with Mansi P.S. Case No. 273 of 2019 with following conditions:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled by the concerned Court.

2. One of the bailors shall be a close relative of the petitioner who shall give genealogy as to how he is related to



the petitioner.

The application stands allowed.

(Chandra Prakash Singh, J)

shobhakri/-

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