

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26963 of 2022

Arising Out of PS. Case No.-380 Year-2021 Thana- ARA NAGAR District- Bhojpur

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JATA YADAV Son of Ram Swarath Yadav Resident of Village - Ibrahimpur,
P.s.- Ara Town, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sarveshwar Tiwary, Advocate
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-09-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Ara Town
P.S. Case No. 380 of 2021 registered for the offence under
Sections 302 and 34 of the Indian Penal Code and 27 of the
Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 07.03.2022.

The allegation against the petitioner is to commit
murder of the son of the informant, along with other co-accused



persons, by using fire-arms.

Learned counsel appearing on behalf of the petitioner submitted that specific allegation of firing is against the co-accused persons, namely, Bir Ram Yadav and Chhotu Yadav, where allegation against this petitioner is limited and marginal, as to be a part of mob. It is submitted that occurrence is founded over previous enmities. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that allegation of firing is not against this petitioner.

Considering the facts and circumstances as mentioned above, as allegation of firing is not against this petitioner rather same is against co-accused persons, namely, Bir Ram Yadav and Chhotu Yadav coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Ara Town P.S. Case No. 380 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara/concerned court, subject to the following



conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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