

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39422 of 2021

Arising Out of PS. Case No.-43 Year-2020 Thana- MANSI District- Khagaria

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1. KHUSHDIL YADAV Son of Vidyanand Yadav Resident of Village- Rajajan, P.S.- Mansi, District- Khagaria.
 2. Jai Jai Ram Yadav Son of Vidyanand Yadav Resident of Village- Rajajan, P.S.- Mansi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Tiwary, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-01-2022 Heard Mr. Saket Tiwary, learned counsel for the petitioners and Mr. Shailendra Kumar Singh, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners seek regular bail in connection with Mansi P.S. Case No. 43 of 2020 registered for the offence punishable under Sections 341, 504, 307/34 of the Indian Penal Code 1860 and Section 27 of the Arms Act.

As per the prosecution story while the informant was returning after immersion of statue of Goddess *Saraswati*, the accused persons including the petitioners abused him and subsequently, the co-accused Vidhanand Yadav ordered to kill



the informant, upon which, co-accused Rajbali Yadav fired on the informant, due to which, he sustained firearm injury in his head.

Learned counsel for the petitioners submits that from perusal of the First Information Report, it would be evident that only allegation against the petitioners is that they allegedly abused the informant and the allegation against co-accused Vidhanand Yadav is that he was an order giver whereas the allegation of firing upon the informant, is against co-accused Rajbali Yadav. Learned counsel further submits that except the allegation of abuse, nothing has been alleged against the petitioners and the First Information Report has been lodged after delay of six days. The petitioners are in custody since 31.01.2020, charge sheet has already been submitted and the trial is not likely to be concluded in near future due to Covid-19 pandemic.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioners are in custody since 31.01.2021, charge sheet has already been submitted and the trial is not likely to be concluded in near future due to Covid-19 pandemic, I am inclined to grant regular bail to the petitioners.



Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Mansi P.S. Case No. 43 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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