

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40266 of 2021**

Arising Out of PS. Case No.-1 Year-2020 Thana- NAYAGAON District- Begusarai

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BALMIKI YADAV S/o Kapildev Yadav Resident of Village - Mathar  
Sonbarsa, P.S. - Nayagaon, District – Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Binod Kumar, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      17-02-2022                      Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 379, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, it is stated that while the brother of the informant was sitting at the door of his house, the petitioner, Vijay Ram and Diwakar Paswan came there and asked him to accompany them and Diwakar Paswan stated that his father Pravin Paswan had called him to eat fish. The informant's brother went with them. In the evening, the



informant was informed by the villagers that his brother had been shot at the door of Pravin Paswan. On reaching the place of occurrence, the informant saw the bullet ridden body of his brother.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Even from the F.I.R, it would transpire that it was Diwakar Paswan who had called the deceased stating that his father Pravin Paswan was calling him. It is further submitted that the case of the petitioner stands on a similar footing to that of Vijay Ram who has been enlarged on bail vide order dated 4.12.2020 (Annexure-3) passed in Cr. Misc. no.26564 of 2020. The petitioner is in custody since 28.9.2020 and investigation in the case has concluded.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case including grant of bail to co-accused Vijay Ram and the petitioner having remained in custody for 1 year 4 months, the Court directs the petitioner to be enlarged on bail in connection with Nayagaon P.S. Case no.1 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned Judicial Magistrate 1<sup>st</sup>  
Class, Begusarai.

**(Partha Sarthy, J)**

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