

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41180 of 2021**

Arising Out of PS. Case No.-26 Year-2021 Thana- JAGDISHPUR District- Bhojpur

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KAMESHWAR YADAV S/O LATE MOTILAL YADAV R/O PILAPUR,
P.S.-JAGDISHPUR, DISTRICT-BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Upendra Prasad Singh, Adv
For the Opposite Party/s	:	Mr. Shantanu Kumar, APP
For the Informant	:	Ms. Mira Kumari, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 20-04-2022 Heard Mr. Upendra Prasad Singh, learned counsel

for the petitioner, Mr. Shantanu Kumar, learned Additional

Public Prosecutor for the State along with Ms. Mira Kumari,

learned counsel appearing for Informant.

Petitioner seeks regular bail in connection with

Jagdishpur PS Case No. 26/2021 registered for the offence

punishable under Sections 302/34 of the IPC and under Section

27 of the Arms Act.

The allegation in a nutshell is that the petitioner along

with other accused persons caught hold the son of informant

and the co-accused, Manish Yadav fired upon him due to which

he died.

Learned counsel for the petitioner submits that the



petitioner has got no criminal antecedent and he has been implicated in this case only because he happens to be the father of the main assailant, Manish Yadav and there is land dispute between the parties and on a previous occasion, co-accused Manish Yadav was brutally assaulted by the deceased. He further submits that the petitioner is aged about 60 years and he is in custody since 03.02.2021. The charge-sheet in the matter has been submitted.

On the other hand, learned counsel appearing for the informant submits that the petitioner is named in the FIR and he had caught hold of the son of informant and the co-accused, Manish Yadav i.e., son of the petitioner shot the deceased dead.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner having no criminal antecedent is in custody since 03.02.2021, charge-sheet in the matter has been submitted and the petitioner is not the main assailant, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, KAMESHWAR YADAV be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial



Magistrate-1 Bhojpur in connection with Jagdishpur PS Case
No. 26/2021.

(Anil Kumar Sinha, J)

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