

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44321 of 2021

Arising Out of PS. Case No.-130 Year-2020 Thana- MAHISHI District- Saharsa

Abhimanyu Yadav @ Abhimanya Kumar S/O Dinesh Yadav R/O Mohalla-
Batraha, Saharsa, P.S. And District-Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Bhushan Das

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-01-2022 Heard both parties through video conferencing.

The petitioner seeks bail in Mahishi P.S. Case No. 130 of 2020, registered for the offence punishable under Sections 302 and other allied sections of the Indian Penal Code and sections 25(1-b)a, 26, 35 and 27 of the Arms Act.

As per the FIR, while the informant and his younger brother were returning to their home, on the way, eight named accused persons and five unknown committed murder of informant's brother by gunshot. The motive of the occurrence is that one year back there was fight between the deceased and the main accused Suraj Yadav.

It is submitted on behalf of the petitioner that there is general and omnibus allegation of firing against all the accused persons. Though there is allegation of firing against eight named



and five unknown persons, but as per postmortem report, only two gunshot injuries found on the person of deceased. Informant in his re-statement not taken the name of petitioner as the person who fired upon his brother, but taken name of other co-accused persons who fired upon his brother. Similarly situated co-accused have been granted bail by this Court vide order dated 22.10.2021 passed in Cr. Misc. No. 18469 of 2021 and dated 17.11.2021 passed in Cr. Misc. No. 16503 of 2021. Petitioner is in custody since 16.08.2020 having clean antecedent.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Saharsa in connection with Mahishi P.S. Case No. 130 of 2020.

(Prabhat Kumar Singh, J)

vinita/-

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