

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42844 of 2021**

Arising Out of PS. Case No.-111 Year-2020 Thana- ALOULI District- Khagaria

SANTOSH YADAV Son of Kari Yadav Resident of Village - Sahsi, P.S.
Alauli, District- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh
For the Opposite Party/s : Mr.Vinod Shanker Modi

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 02-02-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Alauli (Supplementary) Police Station Case No. 111 of 2020,
registered for the offences punishable under Sections 147/148/
341/385/387/307/504/506 of the Indian Penal Code and Section
27 of the Arms Act.

The prosecution case, as per the First Information
Report, is that altogether ten accused persons, named in the First
Information Report, including the petitioner, and 4-5 unknown
persons, arrived near the shop/godown of the informant and
demanded extortion money from the informant and one of the
accused, namely, Pankaj Yadav, fired upon one of the staffs of
the informant, due to which he sustained fire arm injury in his



neck.

Learned Counsel for the petitioner submits that the petitioner has got no criminal antecedent and he has falsely been implicated in this case due to village politics. He further submits that no overt act has been alleged against the petitioner and from perusal of the First information Report, it would be evident that the petitioner was, at best, a member of the unlawful assembly, having no arm in his hand. He further submits that similarly situated co-accused persons, namely, Ramjapoo Yadav and Md. Jamal (in Criminal Misc. No. 39779 of 2020) and Batoran Yadav (in Criminal Misc. No. 32879 of 2021) have been granted bail by co-ordinate Benches of this Court. He further submits that the petitioner is in custody since 16.04.2021 and charge sheet has been submitted against him and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that no overt act has been alleged against the petitioner, similarly situate co-accused persons have been granted bail by this Court, charge sheet has already been submitted and the petitioner is in custody since



16.04.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Khagaria, in connection with Alauli (Supplementary) Police Station Case No. 111 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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