

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48985 of 2021**

Arising Out of PS. Case No.-164 Year-2020 Thana- ROH District- Nawada

=====

Pintu Yadav @ Rajiv Kumar S/O Chando Yadav @ Ram Chandra Prasad R/O
Village-Bara Pandeya, Ps- Roh, District-Nawada At Present Residing At Navi
Nagar, P.S-Nawada, District-Nawada.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s :Mr.Adarsh Singh, Advocate

For the Opposite Party/s :Mr.Anand Mohan Pd Mehta, Addl Public Prosecutor

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 22-01-2022 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 307/302 and other ancillary sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, all the 18 FIR named accused persons including the petitioner, armed with weapons, surrounded the husband of the informant. Thereafter, petitioner and co-accused Upendra Yadav caught hold the hand of the victim and on the order of co-accused Vinod Yadav, co-accused Vinay Yadav @ Chhotu Yadav shot at his chest causing instantaneous death of the husband of the informant.

Learned counsel for the petitioner submits that from the perusal of the FIR itself it is clear that the petitioner is not the assailant of the deceased. It is also the case of the petitioner that the instant case is the counter blast of earlier case, namely, Roh Police Station Case No. 118 of 2020 filed by co-accused



Narayan Yadav against the prosecution side. Petitioner is in custody since 12.10.2020. Investigation is complete and other similarly situated co-accused have already been allowed bail by different co-ordinate benches of this Court vide orders passed in Cr.Misc.No. 23143/2020 and 38189/20.

Learned counsel for the State and the informant oppose the prayer for bail. They submits that there is specific allegation in the FIR that the petitioner facilitated murder of the husband of the informant by holding his hands.

Considering the aforesaid facts and circumstances of the case and the period of custody of the petitioner, prayer for bail of the petitioner is allowed. Let the petitioner, as named above, 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 Additional Sessions Judge IV, Nawada in Sessions Trial No. 108 of 2021/15 of 2021, Roh Police Station Case No. 164 of 2020.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

