

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48602 of 2021

Arising Out of PS. Case No.-42 Year-2020 Thana- PAWANA District- Bhojpur

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BHOLA YADAV SON OF LATE KAULESHWAR YADAV Resident of
Village- Pawar, Police Station- Pawana, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Adv.

For the Opposite Party/s : Ms. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 15-04-2022 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 307, 341, 323, 504, 506, 326 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, on the informant asking the accused as to why they had shot Congress Yadav, it is stated that at the instigation of this petitioner all the accused persons including the petitioner herein resorted to firing.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Referring to the material that has transpired in course of investigation it is submitted that the witnesses including



Congress Yadav in his so called dying declaration have not made any allegation of overt act against this petitioner. The petitioner is in custody since 3.4.2021 and has no criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of the investigation together with the petitioner not having any criminal antecedent and having remained in custody for 1 year, the Court directs the petitioner to be enlarged on bail in connection with Pawana P.S. Case no. 42 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 Chief Judicial Magistrate, District Bhojpur at Ara.

(Partha Sarthy, J)

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