

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40370 of 2022

Arising Out of PS. Case No.-84 Year-2022 Thana- SANDESH District- Bhojpur

Jawahir Yadav @ Jawahir Son of Late Jagdish Singh @ Late Jagdish Yadav
R/O Village- Deuar, P.S.- Sandesh, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate
For the State : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Sandesh
P.S. Case No. 84 of 2022 registered for the offence under
Sections 302, 34, 354(a) and 504 of the Indian Penal Code and
Section 27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 07.05.2022.

The allegation against the petitioner is to commit
murder of minor son of the informant, alongwith other co-
accused persons, by causing fire arm injury.

Learned counsel appearing on behalf of the petitioner



submitted that thrust of allegation, as regard to outrage the daughter of the informant and also to cause fatal fire arm injury is specifically available against co-accused, namely, Chandrashekhar Yadav, whereas allegation against this petitioner is very much general and ominous without attributing any overt act towards the occurrence. It is further submitted that similarly situated co-accused has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 39063 of 2022 dated 14.11.2022. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as thrust of allegation to cause fatal injury is available, specifically, against co-accused, namely, Chandrashekhar Yadav, whereas allegation against this petitioner is very much general and omnibus coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sandesh P.S. Case No.



84 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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