

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50138 of 2021

Arising Out of PS. Case No.-323 Year-2019 Thana- BASOPATTI District- Madhubani

LALU YADAV Son of Raj Kumar Yadav Resident of Village - Man Mohan,
P.S. - Basopatti, District - Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ratanakar Jha, Adv.
For the Opposite Party/s :	Mr. Uma Shankar Prasad Singh, APP
For the Informant :	Mr. Shailendra Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 29-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 506 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, it is stated that the nine named accused persons came variously armed. Deonarayan Yadav shot the son of the informant with a pistol as a result of which he fell down. Sudhir Yadav fired hitting him in his head. Ghanshyam Yadav resorted to indiscriminate firing. Madheshwar Yadav was giving orders and the accused persons on being convinced that Pawan Yadav had died, they ran away.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the F.I.R. Referring to the



order of the learned court below, it is submitted that the name of the petitioner transpired in the confessional statement of a co-accused made before police. Inspite of the detailed description in the F.I.R., no overt act is alleged against him. He is in custody since 25.3.2021 and chargesheet has been submitted in the case.

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

Having heard learned counsel for the parties and taking into consideration the nature of allegation, the petitioner not being named in the F.I.R. and having remained in custody for 1 year, the Court directs the petitioner to be enlarged on bail in connection with Basopatti P.S. Case no.323 of 2019, corresponding to C.R.I. no.2369 of 2019 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 Judicial Magistrate 1st Class, Madhubani.

(Partha Sarthy, J)

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