

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52389 of 2021

Arising Out of PS. Case No.-273 Year-2019 Thana- MANSI District- Khagaria

PAWAN YADAV, SON OF TAMATER YADAV R/O VILLAGE- BELBARA,
P.S.- SIMRI BAKHTIYARPUR, DISTRICT- SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-02-2022 Heard the learned counsel for the petitioner and the
learned APP for the State, through Video Conferencing.

The petitioner seeks bail in connection with
Supplementary Mansi P.S. Case No. 273 of 2019, instituted for
the offences under Sections 147, 148, 149, 341, 307, 302,
120(B), 504, 506 of the Indian Penal Code and Section 27 of the
Arms Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 17.06.2021, charge-sheet has been
submitted and has a antecedent of one case, as mentioned in
para 3 of the bail application.

The learned counsel for the petitioner further submits
that the informant alleges that on 07.12.2019 at 10:00 A.M., the
informant and his brother and 4-5 persons were making election



campaign for the purpose of PACS Chairman in favour of the candidate, Abdul Salam and when they all about 2 P.M. reached Jangli Tola, all 14 named accused persons including the Manoj Yadav surrounded them and abusing them. It is further alleged that Manoj Yadav fired at the brother of the informant hitting him on his chest and thereafter Ranjit Yadav also fired thereafter it is alleged that brother of the informant tried to escape but Nandlal Yadav, Ravindra Yadav and Subodh Yadav also fired causing injury to the brother of the informant. Thereafter, it is alleged that the informant along with other went to save his brother when all the accused persons started firing causing injury in the hand of Abdul Salam.

The learned counsel for the petitioner submits that from perusal of the allegation, as alleged in the FIR, it would manifest that there is specific allegation against five accused persons, who fired at the brother of the informant and as far as allegation regarding the present petitioner is concerned, that is general and omnibus in nature, as it is alleged that all the accused persons started firing hitting Abdul Salam in his hand.

The learned A.P.P. vehemently opposes the bail application.

Considering the fact that the petitioner is in custody



since 17.06.2021, charge-sheet has been submitted and petitioner is not alleged to be the main assailant and allegation of firing is general and omnibus against the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Supplementary Mansi P.S. Case No. 273 of 2019.

The application stands allowed.

(Satyavrat Verma, J)

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