

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48593 of 2022

Arising Out of PS. Case No.-362 Year-2021 Thana- DEEPNAGAR District- Nalanda

DAYANAND YADAV Son of Late Lokan Yadav R/O Village - Wazitpur, P.S.-
Deepnagar, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-12-2022 Heard the parties via video conferencing.

Petitioner seeks regular bail in connection with
Deepnagar PS Case No. 362 / 2021 registered under Sections
147, 148, 149, 341, 323, 307, 504, 302, 120B of the IPC and
Section 27 of the Arms Act.

As per the first information report the petitioner along
with other accused persons, six in number, arrived near the
house of the informant and started firing. It has further been
alleged that the co-accused / Vikash Yadav fired upon the father-
in-law of the informant due to which he died.

Learned counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case due to land
dispute which would be evident from the first information
report. He further submits that general and omnibus allegation



of firing is upon seven accused persons and there is specific allegation of firing upon the co-accused / Vikash Yadav due to which the informant's father-in-law died. The petitioner is in custody since 30.10.2021 and two co-accused persons have been granted anticipatory bail as well as regular bail by this court *vide* Cr. Misc. Nos. 28792/2022 & 24478/2022 respectively.

Regard being had to the submissions made by the parties, taking into consideration the materials available on record, the fact that petitioner is not the main assailant, there is land dispute between the parties, the co-accused persons have been granted bail by this court, the petitioner is in custody since 30/10/2021 and charge sheet has already been submitted, and as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10000 /-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Deepnagar PS Case No. 362/2021.

(Anil Kumar Sinha, J)

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