

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48588 of 2022**

Arising Out of PS. Case No.-219 Year-2022 Thana- KHAGARIA District- Khagaria

LUCHO YADAV @ SANTOSH YADAV Son of Late Bahadur Yadav
Resident of Village - Bari Kothiya, P.S.- Muffasil, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Syed Mojibur Rahman

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

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

Petitioner seeks regular bail in connection with Khagaria (Mufassil) P.S. Case No. 219 of 2022 registered under Sections 147, 148, 149, 341, 323, 307, 385, 504, 506 of the IPC and 27 of the Arms Act.

As per the prosecution story the petitioner along with other accused persons arrived at the house of the informant, armed with rifle, *katta*, pistol etc. and demanded extortion amount from him and also started indiscriminate firing upon the informant with intention to kill him.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of general and omnibus allegation made against eight accused persons. Learned counsel further submits that empty cartridges



have allegedly been recovered on 15/03/2022 but the written report of Tuntun Yadav / informant was submitted on 16-03-2022. Accordingly, submission is that petitioner has falsely been implicated in this case due to village rivalry on the basis of concocted story and no body has received gun shot injury in the incident. The petitioner is in custody since 07-04-2022 having no criminal antecedent.

Regard being had to the submissions made by the parties, taking into consideration the materials available on record, the fact that petitioner is in custody since 07.04.2022, charge sheet has already been submitted and no body has received gun shot injury, 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, Khagaria in connection with Khagaria (Mufassil) P.S. Case No. 219 of 2022.

(Anil Kumar Sinha, J)

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