

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64159 of 2021

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

RAMDEV YADAV Son of Late Garbhu Yadav Resident of Village -
Dhamhara, P.S.- Mansi, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Viveka Nand Singh, Advocate
For the Informant	:	Mr. Shivam Ritwik Thakur, Advocate
For the State	:	Mr. Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 148, 149, 341, 307,
302, 120(B), 504, 506 of the Indian Penal Code read with
Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 22.08.2021, charge-sheet has been
submitted and has antecedent of six cases in which petitioner
has been acquitted in four cases and in two other cases the
police has submitted final form in favour of the petitioner.

The informant alleges that on 07.12.2019, at 10:00



a.m., he and his brother (Photo Yadav) and 4-5 persons were making election campaign for the election of PACS Chairman in favour of the candidate Abdul Salam and when they all, at about 02:00 p.m., reached Jangli Tola, where all the 14 named accused persons including the petitioner surrounded and started abusing them. It is further alleged that Manoj Yadav fired at the brother of the informant hitting him on his chest and thereafter Ranjeet Yadav also fired. It is alleged that brother of the informant tried to escape but Nand Lal Yadav, Ravindra Yadav and Subodh Yadav fired causing injury to the brother of the informant and when the informant along with others went to save his brother then all the accused persons started firing causing injury in the hand of Abdul Salam.

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 the present petitioner is concerned, the allegation against him is general and omnibus in nature and it is alleged that he was the person who hatched conspiracy leading to the occurrence. Learned counsel submits that the allegation is based on suspicion and co-accused Pawan Yadav has been granted bail by order dated 09.02.2022



in Cr. Misc. No. 52389 of 2021.

Learned counsel for the informant and learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner but are not able to meet the submissions of the learned counsel for the petitioner that there is no specific allegation against the petitioner of firing at the deceased and as far as hatching conspiracy is concerned it is based on suspicion.

Considering the fact that the petitioner is in custody since 22.08.2021, charge-sheet has been submitted and taking into consideration the submissions made by the learned counsel for the petitioner, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Supplementary Mansi P.S. Case No. 273 of 2019.

(Satyavrat Verma, J)

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