

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.67074 of 2021**

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

Rabindra Yadav @ Rabindra Kumar Son Of Ramdeo Yadav Resident Of  
Village - Shishwa, Police Station- Chautham, District- Khagaria.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                         |
|----------------------------|-------------------------|
| For the Petitioner/s :     | Mr. Viveka Nandsingh    |
| For the Opposite Party/s : | Mr. Ganesh Prasad Singh |
|                            | Ms. Vaishnavi Singh     |
|                            | Mr. Shivam              |
|                            | Mr. Ritwik Thakur       |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA  
ORAL ORDER**

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

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 and Section 27 of the Arms Act.

The learned counsel for the petitioner submits that the petitioner is in custody since 22.08.2021, charge-sheet has been submitted in this case and has antecedent of six cases out of which, in three cases, the petitioner has been acquitted and in one case, the police has submitted final form in favour of the petitioner and the petitioner is on bail in other two cases.



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 at 2.00 P.M. reached Jangli Tola, when all the 14 named accused persons including the petitioner surrounded them and started abusing them. Further, 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 the brother of the informant tried to escape, but Nandlal Yadav, Ravindra Yadav (petitioner) and Subodh Yadav also fired causing injury to the brother of the informant and when the informant along with other went to save his brother, all the accused persons started firing causing injury on the hand of Abdul Salam.

The learned counsel for the petitioner submits that no doubt, it is alleged that this petitioner was also one of the accused, out of five, who fired at the deceased, but then the allegation of firing appears to be general and omnibus when the allegation against Manoj Yadav is specific that he fired at the chest. The learned counsel thus submits that from the allegation, it cannot be culled out that on which part of the body of the



deceased, the petitioner fired. It is further submitted that Manoj Yadav has been granted bail by order dated 04.08.2021 in Cr. Misc. No.31376 of 2021.

Learned counsel for the informant as well as learned A.P.P. opposes the bail application, but are not able to meet the submission of the learned counsel for the petitioner that the accused against whom, there is specific allegation of firing at the chest of the deceased has been granted bail.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in this case and co-accused Manoj Yadav has been granted bail, 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 Court below where the case is pending in connection with Mansi P. S. Case No.273 of 2019.

The application stands allowed.

**(Satyavrat Verma, J)**

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