

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69341 of 2021**

Arising Out of PS. Case No.-127 Year-2019 Thana- PASRAHA District- Khagaria

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BABLU YADAV Son of Chandu Yadav @ Chandeshwari Yadav Resident of
village - Basua, P.S.- Pasraha, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-05-2022 Heard Mr. Santosh Kumar Singh, learned counsel

for the petitioner and Mr. Sanjay Kumar Tiwary, Additional

Public Prosecutor for the State.

Petitioner seeks regular bail in connection with
Pasraha PS Case No. 127/2019 registered for the offence
punishable under Sections 147, 148, 149, 160, 302, 307, 326,
386 of the IPC and 27(i) of the Arms Act.

As per prosecution case, the Officer Incharge of the
police station got an information that due to previous enmity
two groups were resorting to indiscriminate firing amongst
themselves and the police party reached to the place of
occurrence and recovered left over live cartridges, empty
cartridges and other articles. It has also been stated that due to
cross firing between the two groups, two persons who were



going on motorcycle sustained gun-shot injury, out of which, one, Sadanand Kumar died while another, namely, Sujeet Kumar sustained bullet injury.

Learned counsel for the petitioner submits that the petitioner is the member of the one of the groups as alleged in the FIR and during course of investigation, the injured person, namely, Sujeet Kumar stated that the firing made by the co-accused, Rakesh Yadav hit him while the firing made by Sugan Yadav hit Sadanand Kumar who died. Learned counsel further submits that similarly situated co-accused persons, namely, Narad Yadav (*vide* Cr. Misc. No. 21675/2020), Pappu Yadav (*vide* Cr. Misc. No. 32985/2020), Bipin Yadav, Bidio Yadav (*vide* Cr. Misc. No. 13850/2020) and Khajanchi Yadav (*vide* Cr. Misc. No. 16362/2021) have been granted bail by the Co-ordinate Benches of this Court. Next submission is that the petitioner is in custody since 17.08.2021 and the charge-sheet has already been submitted in the matter.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that the injured witness did not disclose the name of the petitioner, similarly situated co-accused persons have been granted bail by this Court, petitioner is in custody since



17.08.2021 and the charge-sheet has already been submitted in the matter, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, BABLU YADAV be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Pasraha PS Case No. 127/2019.

(Anil Kumar Sinha, J)

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