

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5591 of 2023

Arising Out of PS. Case No.-329 Year-2021 Thana- MUNGER MUFFASIL District- Munger

Ballo Yadav @ Balo Yadav Son of Majo Yadav @ Mayadhar Yadav R/v-
Tikarampur, (Biharimarar Tola), P.S.- Mufasil, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suman Kumar Mishra

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 302, 384, 506 of the Indian Penal Code and Section 27 and 35 of Arms Act.

As per prosecution case, the informant and his brothers were constructing a bamboo bridge over Gandak river with the help of labourers. Suddenly, the petitioner along with other co-accused persons came there and started indiscriminate firing as a result of which brother of the informant died on the spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to village politics. There



is general and omnibus allegation against the petitioner. The specific allegation against the co-accused Santosh Yadav who fired upon the deceased. It is further submitted that the similarly situated co-accused persons have already been granted bail by other co-ordinate Bench of this Court vide order dated 08.02.2023 passed in Cr. Misc. No. 4407 of 2022. Moreover, the petitioner is languishing in judicial custody since 10.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Muffasil P.S. Case No. 329 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger.

(Sunil Kumar Panwar, J)

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