

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5738 of 2023

Arising Out of PS. Case No.-16 Year-2022 Thana- BHARGAMA District- Araria

Pravesh Yadav @ Bhikhari Yadav @ Pravesh Kumar Yadav Son Of Mohan
Yadav Resident Of Village - Mahammadganj, P.S.- Chhatapur, District -
Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prafull Chandra Thakur

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-05-2023 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 394,
302 of the Indian Penal Code and Section 27 Arms Act.

As per prosecution case, informant's son
proceeded to C.S.P. at Mahthwa. It is alleged that four
miscreants on two motorcycles chased and surrounded him.
Thereafter, they tried to snatch money from the informant
and when the same is protested, they fired upon the
informant's son as a result of which he died on the spot. It is
further alleged that they also took away money, ATM Cards



and other papers of the informant's son.

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 dirty village politics. Neither the petitioner is named in the FIR nor he has been put on TIP. It is further submitted that no any looted article has been recovered from his conscious possession. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 24.01.2023 passed in Cr. Misc. No. 39396 of 2022. The petitioner is languishing in judicial custody since 28.07.2022.

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 judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bhargama P.S. Case No. 16 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned J.M. Ist Class, Araria.

(Sunil Kumar Panwar, J)

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