

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6165 of 2023

Arising Out of PS. Case No.-638 Year-2022 Thana- MADHEPURA District- Madhepura

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BHARAT YADAV S/O YOGENDRA YADAV Resident of Village- Pathraha,
Ward No.- 07, P.S.- Ghailarh, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 09-05-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with
Madhepura (Ghailarh O.P) P. S. Case No. 638 of 2022
registered for the offence under Sections 341, 307, 379/34 of the
Indian Penal Code and Section 27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 04.11.2022.

The allegation against the petitioner is to open fire
upon informant, along with other co-accused persons, causing
fire arm injury on his chest.



Learned counsel appearing on behalf of the petitioner submitted that specific allegation of firing is available against co-accused person, namely, Sonu Kumar Yadav, who has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 7055 of 2023 vide order dated 03.05.2023. It is further submitted that allegation against this petitioner is limited as to give order to co-accused, Sonu Kumar Yadav. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is completed, for which, charge-sheet has submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

In view of the facts and circumstances as mentioned above, as allegation against this petitioner is limited as to give order to co-accused, Sonu Kumar Yadav, who specifically alleged to fire upon informant coupled with the fact that charge-sheet has already submitted, let the petitioner, above named, is directed to be released on bail in connection with Madhepura (Ghailarh O.P) P. S. Case No. 638 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate, Madhepura/concerned Court, subject to the
conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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