

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10320 of 2023**

Arising Out of PS. Case No.-128 Year-2019 Thana- PARBATTa District- Khagaria

MASUDAN YADAV Son of Late Upendra Yadav Resident of Village- Lagar,
P.S.- Parbatta, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Madhuri Lata

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 19-04-2023 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, 148, 149, 323, 386, 387, 302, 120B of the Indian Penal Code and Section 27 of Arms Act.

As per prosecution case, the accused persons are said to have caught hold of the husband of the informant. While the petitioner and others caught hold of him, it is stated that co-accused Mantu Yadav shot him as a result of which he died.

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. There is no specific overt-act is attributed against the petitioner rather he is simply a member of unlawful assembly whereas, the



specific allegation is against co-accused namely, Mantu Yadav who fired upon the husband of the informant due to which he died. Moreover, similarly situated co-accused namely, Rajesh Yadav has already been granted bail by a co-ordinate Bench of this Court vide order 2.7.2020 passed in Cr. Misc. No. 21299 of 2020 and in support of this Annexure-2 series has been annexed with this petition. It is further submitted that the petitioner is languishing in judicial custody since 20.12.2022.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Supplementary Parbatta P.S. Case No. 128 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge Vth, Khagaria.

(Sunil Kumar Panwar, J)

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