

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12525 of 2023

Arising Out of PS. Case No.-281 Year-2022 Thana- UCHKAGAON District- Gopalganj

Vidyanand Patel @ Vidya Patel S/O Late Kapildeo Patel R/O Village- Jamsar,
P.S.- Uchkagaon, Distt- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 31-07-2023 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, 148, 149, 323, 324, 307, 302 and 448 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the allegation against the accused persons including the petitioner is that they armed with various weapons came at the home of the informant and started abusing and when informant protested to do so then they started assaulting to the informant and his family members due to which informant's side sustained many injuries. It is further alleged that co-accused, namely,



Mannu Patel fired upon the wife of the informant due to which she sustained gunshot injury and died on the spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Both parties are next door neighbour and due to previous enmity he has falsely been implicated in this case. There is no specific over-act of commission of murder levelled against the petitioner rather the specific allegation of shot firing upon the wife of the informant is levelled against co-accused. The specific allegation of assaulting is levelled against the petitioner by means of *farsa* upon the son of the informant but no injury report is available in respect of his injuries. It is further submitted that the petitioner is languishing in judicial custody since 20.08.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that there are several criminal antecedents against the petitioner.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as 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 Uchkagaon P.S. Case No. 281 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 Additional Chief Judicial Magistrate-IX, Gopalganj.

However, the bail bond of the petitioner shall be accepted after verification of the criminal antecedent.

(Sunil Kumar Panwar, J)

Manishkumar/-

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