

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14906 of 2023

Arising Out of PS. Case No.-121 Year-2022 Thana- AGIAON District- Bhojpur

MULAYAM YADAV S/O VIMAL SINGH @ HAKIM YADAV R/v-
Bishambhra, P.S.- Agiaon (Garahni), District- Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Pandey

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 302, 120B and 34 of
the Indian Penal Code and Section 27 of the Arms Act.

As per FIR, the others co-accused are of firing upon
the Grand-son of the informant namely, Chhotu Kumar, due to
which, he succumbed to injury. Petitioner was only an order
giver.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that, there is no specific
overt act of shot fired against the petitioner rather specific
allegation of shot fired upon the informant's Grand-son is



against others co-accused Sonu Kumar, Vishal Kumar and Nitish Kumar. As per postmortem report, it appears that three entry wounds was found and the doctor opined cause of death is due to firearms injuries. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 07.11.2022.

The application for bail is opposed by learned APP for the State.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhojpur at Ara in connection with Agiaon (Garahni) P.S. Case No. 121 of 2022.

(Sunil Kumar Panwar, J)

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