

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17321 of 2023

Arising Out of PS. Case No.-284 Year-2022 Thana- PIRPAINTI District- Bhagalpur

Wakil Yadav S/O Late Dinanath Yadav R/O Village- Kahalgaon Tola, P.S-
Pirpanti, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajni Kant Jha

For the Opposite Party/s : Mr. Atul Chandra

For the Informant/s : Murlidhar Mishra, Shubham Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner, learned
counsel for the informant 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, 341, 323, 326, 327, 307, 448, 504, 302 of the Indian Penal Code and Section 27 of Arms Act.

The prosecution case, brief, is that the accused persons including the petitioner having armed with deadly weapons entered in the house of informant and started assaulting him as well as his family members. During course of this incident, co-accused persons fired upon the informant's husband namely, Vijay Yadav due to which he sustained injury and thereafter, he died during course of treatment. It is further submitted that other members of



informant's side sustained injury.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. From perusal of FIR, it appears that the specific allegation is against other co-accused persons namely, Sanyal Kumar, Rahul Yadav, Tej Narayan, Ranjan @Puran, & Rudal Yadav who fired upon the husband of the informant due to which he succumbed to injury. The petitioner is alleged to be only member of unlawful assembly and no specific overt-act attributed to him. It is further submitted that petitioner is languishing in judicial custody since 30.11.2022.

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 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 Pirpainti P.S. Case No. 284 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 C.J.M., Bhagalpur.

(Sunil Kumar Panwar, J)

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