

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19271 of 2023

Arising Out of PS. Case No.-360 Year-2021 Thana- BARACHATTI District- Gaya

SATYENDRA PRASAD YADAV @ SATYENDRA KUMAR @
SATYENDRA YADAV S/O JAGDISH YADAV Resident of Village- Rajbar,
P.S.- Barachatti, (Mohanpur), District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Barachatti (Mohanpur) P.S. Case no.360 of 2021 registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, as a result of indiscriminate firing by the four named accused persons including the petitioner herein as also one Dilip Yadav, it is stated that the son of the informant succumbed to gun shot injuries.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Besides the allegations being general and omnibus in nature, the post-



mortem report (Annexure-2) does not support the prosecution case. The case of the petitioner stands on the similar footing to that of Dilip Yadav who has been enlarged on bail vide order dated 28.3.2022 (Annexure-3). The petitioner is in custody since 28.11.2022 and chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R. being general and omnibus in nature, grant of bail to co-accused Dilip Yadav vide order contained in Annexure-3, the petitioner having remained in custody for more than 4 months since 28.11.2022 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Barachatti (Mohanpur) P.S. Case no.360 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Sherghati (Gaya).

(Partha Sarthy, J)

Saurabh/-

U		T	
---	--	---	--

