

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18581 of 2023

Arising Out of PS. Case No.-82 Year-2022 Thana- MORKAHI District- Khagaria

1. Manoj Yadav Son Of Triveni Yadav Resident Of Village - Santosh, Ward No. 10, Post -CHATAR, P.S. - Allouli, Distt. - Khagaria
2. Makeswar Yadav Son Of Late Upendar Yadav Resident Of Village - Santosh, Ward No. 10, Post -CHATAR, P.S. - Allouli, Distt. - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-07-2023 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 302, 34 of the IPC and Section 27 of the Arms Act.

As per prosecution case, allegation against accused persons is that they in conspiracy armed with various weapons indiscriminately fired upon the brother of the informant due to which he sustained several bullet injuries and subsequently he died.

Learned counsel for the petitioners submit that the



petitioners are innocent and have committed no offence. They have falsely been implicated in this case due to village politics. There is no specific overt-act of open fire levelled against the petitioners rather general and omnibus allegation of murder levelled against them and the specific allegation of open fired is levelled against co-accused persons. They have got no criminal antecedent. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 21.04.2023 passed in Cr. Misc. No. 65993 of 2022. It is further submitted that the petitioners are languishing in judicial custody since 14.12.2022.

Learned APP appearing for the state has and learned counsel for the informant have vehemently 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 petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Morkahi P.S. Case No. 82 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 J.M., Ist Class,
Khagaria.

(Sunil Kumar Panwar, J)

Manishkumar/-

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