

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17458 of 2023

Arising Out of PS. Case No.-287 Year-2022 Thana- SULTANGANJ District- Bhagalpur

Fatak Yadav @ Mukesh Yadav @ Shankar Yadav S/O Late Devan Yadav
Resident Of Village-Tilakpur, P.S.- Sultanganj, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devika Rani

For the Opposite Party/s : Mr. Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 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, 341, 323, 385, 386, 387, 504, 506, 307 of the Indian Penal Code and Section 27 of Arms Act.

As per allegation in the FIR, the petitioner along with other co-accused persons came at the door of the informant and demanded extortion money as Rs. 25,000/- per month. When the informant objected, co-accused namely, Kare Yadav shot fire upon his father due to which he sustained injury.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Both parties are agnates and they have litigating terms due to which the petitioner has falsely been implicated in this case. The



petitioner is alleged to be only order giver and no specific overt act against him. The specific allegation of firing is against co-accused namely Kare Yadav @Ritesh Yadav. Moreover, similarly situated co-accused namely, Kako Yadav has already been granted bail by this Court vide order dated 28.02.2023 passed in Cr. Misc. No. 71274 of 2022. The petitioner is languishing in judicial custody since 13.10.2022.

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 Sultanganj P.S. Case No. 287 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 A.C.J.M. 1st Bhagalpur.

(Sunil Kumar Panwar, J)

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