

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24483 of 2023

Arising Out of PS. Case No.-536 Year-2022 Thana- ARA NAGAR District- Bhojpur

Dharmendra Yadav, Son of Late Nand Kumar @ Late Nand Kumar Yadav,
Resident of Village- Charkhambahali, P.S.-Ara Town, District-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no. 485 of 2022 (arising out of Ara Nagar P.S. Case no. 536 of 2022) registered under sections 302, 307, 147, 148, 149 and 120B of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, on the instigation of the petitioner and one another who were in custody it is stated that the occurrence was given effect to wherein Khatai Yadav is said to have shot the maternal uncle of the informant in his chest leading to his death.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Even as per the allegation in the F.I.R, he was in custody on the date of



occurrence and the allegation of firing is on co-accused Khatai Yadav. The petitioner is in custody since 10.8.2022 and charge-sheet 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 against the petitioner in the F.I.R, the allegation of firing being on co-accused Khatai Yadav, the petitioner being in custody on the date of occurrence, the petitioner having remained in custody in this case for 9 months since 10.8.2022 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no. 485 of 2022 (arising out of Ara Nagar P.S. Case no. 536 of 2022), 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 Additional District Judge-VIIIth, Bhojpur at Ara.

(Partha Sarthy, J)

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