

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 22428 of 2023**

Arising Out of PS. Case No.-206 Year-2021 Thana- MANIHARI District- Katihar

PRATAP YADAV @ PRATAP KUMAR YADAV Son of Late Permeshwar
Yadav Resident of village - Mirjapur, P.S.- Manihari, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Rajendra Prasad Sah, Advocate
For the Opposite Party/s : Mr Anil Prasad Singh, APP

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner has preferred this application for grant of regular bail in connection with Manihari Police Station (for brevity, **PS**) Case No 206 of 2021 dated 19.09.2021 registered for the offence punishable under Sections 147, 148, 149, 364, 302, 201, 307, 386, 387, 120B of Indian Penal Code and Section 27 of Arms Act.

As per prosecution case, the petitioner and co-accused



persons along with 6 – 7 miscreants are alleged to have shot the informant's uncles, namely, Mahesh Yadav @ Mahesh Prasad Yadav and Sunil Yadav dead and their dead body were thrown at the bank of Ganga river under conspiracy with wives of the co-accused persons. It is further alleged that the co-accused Bipin Yadav fired on the head of Mahesh Yadav @ Mahesh Prasad Yadav and the co-accused Ram Niwas Yadav fired on Sunil Yadav upon the order of the co-accused Sabeel Yadav.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is accused in one more criminal case, as stated in paragraph 3 of the bail petition in which he is on bail. There is general and omnibus allegation against the petitioner. The specific allegation of firing is against other co-accused persons and one of the co-accused persons, namely, Saheb Yadav has already been granted bail by a coordinate Bench of this Court vide order dated 06.07.2022 passed in Cr Misc No 9649 of 2022. The petitioner is in custody in this case since 13.02.2023.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of



the case, period of custody as well as the nature of allegation against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in Manihari PS Case No 206 of 2021 dated 19.09.2021.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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

