

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32518 of 2023

Arising Out of PS. Case No.-283 Year-2021 Thana- KATIHAR NAGAR District- Katihar

ANIL YADAV Son of Late Bhela Yadav @ Late Bela Yadav Resident of - P
and T Chowk, Barmasiya, P.S.- Katihar (S), District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ram Sandesh Roy, Adv.
For the Opposite Party/s	:	Mr.Madhura Nand Jha, APP
For the informant	:	Mr.Praveen Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 17-05-2023 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 counsel for the informant as also learned A.P.P. for the State.

The petitioner has preferred this application for grant of regular bail in connection with Katihar Nagar Sahayak P.S. Case No. 283 of 2021 dated 06.06.2021 registered for the offences punishable u/s 147, 148, 149, 341, 323, 302/120(B) of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, co-accused Ranjeet Chaudhary called the informant's son Rahul Yadav in the name of panchayati. On suspicion, the informant and his two nephews also followed them from behind. All the accused persons armed



with lethal weapons surrounded the informant's son and started assaulting him. One of the co-accused Abhimanyu Yadav caught hold of the left hand of the son of the informant and the other co-accused Chitranjan Yadav caught hold of the right hand of the informant's son. The petitioner Anil Yadav caught hold of waist of Rahul Yadav. On the order of the co-accused Usha Devi, one of the co-accused Vishal Yadav fired on the head of Rahul with intent to kill who died during treatment in Siliguri.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case due to the village politics. Learned counsel has further submitted that the main allegation of firing is against co-accused Vishal Yadav. The petitioner has got one more criminal case. The petitioner is in custody since 5.4.2022.

Learned A.P.P. for the State and the learned counsel for the informant have vehemently opposed the bail petition of the petitioner. Learned counsel for the informant has further submitted that the prayer of bail of the petitioner has already been rejected by this Court vide order dated 28.9.2022 passed in Cr. Misc. No. 43139 of 2022.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-



named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Katihar in connection with Katihar Nagar Sahayak P.S. Case No. 283 of 2021 with condition :-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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