

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28030 of 2023**

Arising Out of PS. Case No.-300 Year-2022 Thana- LODIPUR District- Bhagalpur

Abhishek Kumar @ Abhishek Yadav, Son Of Mahesh Yadav, R/O-Basantpur,
P.S- Lodipur District.-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ambrish Kumar Jha, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 24-05-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Lodipur P.S. Case No. 300 of 2022 dated 12.12.2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323 and 307 of the Indian Penal Code, Sections 25(1-B)a, 26/27/35 of the Arms Act and Sections 3/4 of Explosive Act.
3. The main submissions advanced by the learned counsel for the petitioner are that the petitioner is a student and has been languishing in jail since 13.12.2022 having fair and clean antecedent and as per allegation made in the FIR in



between the members of two gangs one is stated to be headed by one Pawan Yadav who happens to be brother of this petitioner and second is stated to be headed by Gaja Yadav, a gang war took place and both the sides fired at each other and the name of this petitioner surfaced in the statement of local chaukidar and he was not arrested at the spot and the co-accused Pawan Kumar @ Pawan Yadav who is stated to be head of one of the alleged gang has been granted bail by a co-ordinate bench of this court vide order passed in Cr. Misc. No. 20349 of 2023 and petitioner's case stands on better footing from him as he is simply stated to be brother of the said co-accused and on account of said relationship he has been dragged in this case. Further submission is that in the alleged occurrence of firing no one sustained any injury.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent and his custody period and the completion of investigation against him as well as his young age, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Lodipur P.S. Case No. 300 of 2022 on



furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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