

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29222 of 2023

Arising Out of PS. Case No.-31 Year-2021 Thana- GHOSWARI District- Patna

DIWAKAR YADAV Son of Sri Basudeo Yadav Resident of Village
Gosaigaon, PS-Ghoswari, District-Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
		Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 16-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Ghoswari P.S. Case no.31 of 2021 registered under sections 147, 341, 504 and 506 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that on information having been received on a mobile phone about six persons including the petitioner herein resorting to indiscriminate firing with the intention of creating terror in panchayat elections, it is stated that the informant along with others reached the place of occurrence. It is further stated that seeing the police vehicles, the accused persons started to run in various directions. In spite of all attempts, they could not be



caught and the accused including this petitioner escaped carrying arms in their hand. A number of cartridges etc. were recovered.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case because of his antecedents. Neither the petitioner was arrested on the spot nor any incriminating article recovered from his possession. No person is said to have been injured in the entire occurrence. The petitioner is in custody since 15.11.2022 and investigation in the case has concluded.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the petitioner having remained in custody for 11 months since 15.11.2022 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Ghoswari P.S. Case no.31 of 2021 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 Judicial Magistrate 1st Class, Barh, District Patna.

(Partha Sarthy, J)

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