

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41844 of 2023

Arising Out of PS. Case No.-163 Year-2017 Thana- SAHEBPUR KAMAL District-
Begusarai

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S.P. YADAV SON OF AJAY YADAV VILLAGE SRINAGAR, POST
OFFICE -CHHARRAPATTI, POLICE STATION SAHEBPUR KAMAL,
DISTRICT BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prem Kumar

For the Opposite Party/s : Mr.Satyendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-07-2023

1. 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.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner has preferred this application for
grant of regular bail in connection with Sahebpur Kamal P.S.
Case No. 163 of 2017 dated 12.6.2017 registered for the offence
punishable u/s 302/34/120B of the Indian Penal Code and
Section 27 Arms Act.

4. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have assaulted the husband of



the informant. Further, it is alleged that the brother-in-law of the co-accused Ajay Yadav shot fire on the husband of the informant. He was taken to the hospital and during the course of the treatment, he died.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The specific allegation of firing is against the co-accused Ajay Yadav. The co-accused person has already been granted bail by the Coordinate Bench of this Court vide order dated 26.4.2023 passed in Cr. Misc. No. 4204 of 2023. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 30.1.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. 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, Begusarai in connection with Sahebpur Kamal P.S.
Case No. 163 of 2017 (S.T. No. 143C of 2021).

8. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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