

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33048 of 2023

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

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1. Karu Yadav S/O Pradeep Yadav R/O Village- Basantpur, P.S- Lodipur, Distt.- Bhagalpur.
 2. Bipin Mandal S/O Prem Mandal R/O Village- Sardho, P.S- Sabour, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand
For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323 and 307 of the Indian Penal Code, Section 25(1-B)a, 26, 27, 35 of the Arms Act and 3/4 of the Explosive Substance Act.

As per F.I.R., allegation is recovery of a live cartridge of 0.315 bore, 2 empty cartridges of 0.315 bore, a pellet of fire cartridge, 2 empty cartridges of 9 mm and remaining particles of bomb from the place of firing. It is alleged that the occurrence of firing took place between the petitioners and gang of Gaza Yadav.



Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case on the basis of suspicion and local politics. There is no eye witness of the alleged occurrence. There is no specific allegation against the petitioners. Nothing incriminating article has been recovered from the conscious possession or house of the petitioners. It is further submitted that similarly situated other co-accused persons have already been granted bail by different co-ordinate Benches of this Court vide order dated 17.05.2023 and 24.05.2023 passed in Cr. Misc. No. 20349 of 2023 and Cr. Misc. No. 28030 of 2023 respectively. Moreover, the petitioners are languishing in judicial custody since 13.12.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Lodipur P.S. Case No. 300 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to



the satisfaction of learned Judicial Magistrate 1st Class,
Bhagalpur or concern Court.

(Sunil Kumar Panwar, J)

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