

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31988 of 2023

Arising Out of PS. Case No.-108 Year-2022 Thana- RAJNAGAR District- Madhubani

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Kishun Yadav @ Kishun Kumar Son Of Sahdeo Yadav Resident Of Village-
Ranti Mohanpur, P.S- Rajnagar, District- Madhubani ... Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Advocate
For the Opposite Party/s : Mr.Nawal Kishore Prasad, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-07-2023 Heard learned counsel for the petitioner and the State.

2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 302/120B of the Indian Penal Code and section 27 of the Arms Act.

3. Specific allegation has been made against co-accused Shahdeo Yadav of opening fire on the chest of her husband and further on co-accused Rohit Yadav of firing in the abdomen of her husband. Thereafter, allegation against named accused of resorting to indiscriminate firing. Petitioner and other accused persons also made indiscriminate firing.

4. Submission is that the specific allegation has been made against co-accused Sahdeo Yadav of opening fire on the chest of her husband and further on co-accused Rohit Yadav on firing in the abdomen of her husband. Petitioner can at best be said to be present on the place of occurrence and there is no



allegation of overt act against him. Co-accused, Vijay Mukhiya and Shyam Kumar Das have already been allowed pre-arrest bail by a co-ordinate bench of this Court vide order passed in Cr.Mis.No. 61155/2022 & 62115/2022 (annexure 3).

5. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Madhubani in Rajnagar Police Station Case No. 108 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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