

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35126 of 2023

Arising Out of PS. Case No.-252 Year-2022 Thana- MAHESHKHUNT District- Khagaria

Rahul Yadav S/O Gulab Chand Yadav R/O Village- Govindpur, P.S- Mahesh
Khunt, Distt.- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Viveka Nandsingh, Advocate
For the Opposite Party	:	Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner seeks bail in connection with Mahesh Khunt P.S. Case No. 252 of 2022 dated 26.10.2022, instituted for the offences punishable under Sections 341, 307, 379, 326, 120B, 506/34 of the Indian Penal Code, 27 of the Arms Act and later on Section 302 of the I.P.C. was also added.

3. The case of prosecution, in short, is that on 25.10.2022, at about 7:00 p.m. one co-accused took informant's son to Amresh Yadav's house where other co-accused persons along with petitioner were present and one co-accused, namely, Pappu Yadav fired gun shot which caused injury in the head of the informant's son who, later on died in the hospital.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this



case. It is further submitted that other co-accused persons except one Pappu Yadav have been granted bail on different dates by different Benches of this Court (*Lagina Yadav in Cr. Misc. No. 15118 of 2023 vide order dated 01.05.2023, Subodh Yadav in Cr. Misc. No. 18550 of 2023 vide order dated 17.05.2023 and Arun Yadav & Kare Yadav in Cr. Misc. No. 25176 of 2023 vide order dated 23.05.2023*). Further, it is submitted that the petitioner is innocent as the main accused who have fired gun shot upon the deceased is Pappu Yadav. Lastly, it has been submitted that the petitioner is in custody since 24.01.2023, has no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Khagari in Mahesh Khunt P.S. Case No. 252 of 2022.

(Khatim Reza, J)

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