

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34759 of 2023

Arising Out of PS. Case No.-359 Year-2022 Thana- MOUZAHDIPUR District- Bhagalpur

Pawan Yadav, Male, aged about 33 years, S/o Laturi Prasad @ Laturi Yadav
R/O Village- Khutaha, P.S- Bypass, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Madan Mohan, Advocate
For the State	:	Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

The petitioner seeks bail in connection with
Mojahidpur (Babarganj) P.S. Case No. 359 of 2022 dated
20.09.2022 registered for the offence punishable under Sections
341, 307, 302 and 120B/34 of the Indian Penal Code and
Section 27 of the Arms Act.

As per allegation in the FIR, accused persons named
in the FIR surrounded the father of the informant and accused
Ajit Kumar and Amar Yadav opened fire as a result of which he
succumbed to gun shot injuries.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case. No
incriminating article has been recovered from the possession of



the petitioner. The specific allegation of firing is against co-accused Ajit Kumar @ Karku and Amar Yadav. The petitioner is in jail custody since 14.10.2022. Learned counsel further submits that a co-ordinate Bench of this Court vide order dated 28.04.2023 in Cr. Misc. No. 14680 of 2023 and Cr. Misc. No. 14700 of 2023 has granted bail to the similarly situated co-accused namely, Vivekanand Kumar @ Disco and Rajesh Kumar Shah @ Rinku respectively.

Learned APP appearing for the State opposes the prayer for regular bail of the petitioner.

Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on 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, First Class, Bhagalpur in connection with Mojahidpur (Babarganj) P.S. Case No. 359 of 2022.

(Sunil Dutta Mishra, J)

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