

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35323 of 2023**

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

GULAB CHAND YADAV S/O- Late Siyaram Yadav, R/O Village-  
Govindpur, P.S.-Mahesh Khunt, Dist.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 35415 of 2023**

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

PRINCE YADAV @ PRINCE KUMAR YADAV S/O- Pankaj Yadav, R/O  
Village-Govindpur, P.S.-Mahesh Khunt, Dist.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 35323 of 2023)

For the Petitioner/s : Mr. Viveka Nand Singh, Adv

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

(In CRIMINAL MISCELLANEOUS No. 35415 of 2023)

For the Petitioner/s : Mr. Viveka Nand Singh, Adv

Mr. Hira Jha, Adv

For the Opposite Party/s : Mr. Binod Kumar No. 3, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

- 2      05-07-2023                      1. As both the criminal miscellaneous petitions
- have arisen out of same P.S. case, hence they are heard together
- and decided by a common order.
2. Heard learned counsel for the petitioners and
- learned APPs for the State.
3. Petitioners seek regular bail in connection with



Mahesh Khunt P.S. Case No. 252 of 2022, dated 26.10.2022 registered for the offences punishable under Sections 341, 307, 379, 326, 120B, 506/34 of the Indian Penal Code and Section 27 of the Arms Act and later on Section 302 of the Indian Penal Code was also added.

4. The main submissions advanced by petitioners' counsel are that altogether twelve named accused persons including the petitioners and ten unknown persons have been mentioned in the FIR as being accused persons but against the petitioners there is no any specific allegation, the main allegation of causing firearm injury to the victim is against co-accused Pappu Yadav and as per allegation both the petitioners and other named accused persons were present at the place of occurrence equipped with firearms, except this there is no any other allegation against them and in the present matter co-accused Arun Yadav, Kare Yadav, Subodh Yadav and Lagina Yadav @ Nagina Yadav carrying similar nature of allegation like the petitioners have been granted bail by different Benches of this Court vide orders passed in Cr. Misc. Nos.25176 of 2023, 18550 of 2023 and 15118 of 2023 respectively. It is further submitted that petitioner Prince Yadav @ Prince Kumar Yadav has no criminal antecedent and he has been languishing in jail



since 25.01.2023 and the petitioner Gulab Chand Yadav has been languishing in jail since 24.01.2023.

5. Learned APPs appearing for the State have opposed the prayer for bail.

6. Considering the above submissions and mainly the facts that several persons including the petitioners have been named in the FIR but against the petitioners there is no specific allegation and several similarly situated co-accused persons mentioned above are on bail and the main allegation is against Pappu Yadav who allegedly fired at the victim, in my opinion it is a fit case for bail to the petitioners. Accordingly, let both the petitioners named-above be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Mahesh Khunt P.S. Case No. 252 of 2022.

**(Shailendra Singh, J.)**

maynaz/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

