

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38211 of 2023

Arising Out of PS. Case No.-12 Year-2022 Thana- NADI P.S. District- Bhagalpur

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BADARI YADAV @ BADARA YADAV Son of Late Chinta Yadav @ Chital
Yadav Resident of village - Tulsipur, P.S. - Kharik, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-07-2023 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail in connection with Nadi P.S. Case No.12 of 2022 registered for the offence under Section 302/34 of the Indian Penal Code and Section 27 Arms Act.

3. The accused/petitioner is named in the F.I.R. and is in custody since 20.08.2022.

4. The allegation against the petitioner is to commit murder of brother of the informant, along with other co-accused persons, by causing firearm injury, where, occurrence is arises out of previous enmities.

5. Learned counsel appearing on behalf of the



petitioner submitted that allegation against this petitioner is appearing very much general and omnibus and limited to be a part of mob only, as it appears from narration of FIR, itself. It is submitted that specific allegation as regard to cause fatal firearm injury is against other co-accused person, namely, Jajla Yadav, not against this petitioner. While concluding the argument, it is submitted that petitioner found involved in 06 more criminal cases, where, he is on bail in 04 cases and moreover, investigation of this case is completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above, as specific allegation as to cause fatal firearm injury is against co-accused, namely, Jajla Yadav, not against this petitioner coupled with the fact that charge-sheet has already submitted, where, petitioner is in custody since 20.08.2022, let the petitioner, above named, is directed to be released on bail in connection with Nadi P.S. Case No.12 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned 3rd Additional Sessions Judge, Naugachia,
Bhagalpur/concerned court, subject to the condition as
mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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