

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42312 of 2022

Arising Out of PS. Case No.-40 Year-2021 Thana- PANDARAK District- Patna

Mukesh Kumar @ Mukesh Yadav S/O Late Ramjee Yadav @ Ramjee Prasad
Resident Of Village- Kanhaipur, P.S.- Mokama, District- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Premchandra Yadav

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail in connection with Pandarak P.S. Case No. 40 of 2021 registered for the offence under Sections 302, 120(B), 34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is that he along with other co-accused persons fired upon the father of informant as a result of which he succumbed to injury during course of treatment.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to previous enmity. It is further submitted that the specific allegation of shot fire is



attributed to the co-accused Sanjay Kumar who inflicted fire arm injury to the father of the informant. The petitioner is only a member of mob and no any specific overt-act against him. General and omnibus allegation leveled against the petitioner. Similarly situated co-accused namely, Ravi Kumar has already been granted bail by a co-ordinate bench of this court vide order dated 16.6.2022 in Cr. Misc. No. 11747 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 22.4.2021.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Pandarak P.S. Case No. 40 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-1st, Barh.

(Sunil Kumar Panwar, J)

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