

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40396 of 2023

Arising Out of PS. Case No.-483 Year-2021 Thana- ALOULI District- Khagaria

Amlesh Kumar Son of Ganesh Yadav Resident of village and P.S. - Alauli,
Distt. - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 21-07-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Alauli P.S. Case No. 483 of 2021, G.R. No. 4151 of 2021 dated 21.12.2021 registered for the offences u/ss 147, 148, 149, 307, 302, 379, 120B and 342 of the Indian Penal Code and 27 of Arms Act.

4. As per the prosecution case, the informant and her husband were going to deliver food to their sons who were studying in Gurukul. It is further alleged that as soon as they



reached close to the house of Zahru Yadav on *pakki* road then the petitioner and the co-accused persons armed with three knot three rifles came there and they dragged her husband and on exhortation of the co-accused Meera Devi to kill, they indiscriminately fired on him resulting in his death and also snatched 15 *bhar* golden chain worth Rs. 75,000/- and thereafter, they fled away firing in air.

5. Learned counsel for the petitioner has submitted that the petitioners is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. There is general and omnibus allegation against the petitioner. Similarly situated co-accused has already been granted bail by this court *vide* order dated 26.08.2022 passed in Cr. Misc. No. 25728 of 2022. The petitioner has one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 21.03.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two



sureties of the like amount each to the satisfaction of learned
Court concerned, Khagaria in connection with Alauli P.S. Case
No. 483 of 2021, G.R. No. 4151 of 2021.

8. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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