

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40373 of 2023**

Arising Out of PS. Case No.-35 Year-2021 Thana- BELDOUR District- Khagaria

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Priyesh Yadav @ Priyesh Kumar Son Of Vijay Yadav Resident Of Village -  
Sakarohar, P.S. - Beldour, Distt. - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Madan Kumar

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      23-08-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2.The petitioner has prayed for regular bail in a case  
registered for the offence punishable under sections 147, 148,  
149, 448, 323, 307, 326, 302, 379 and 506 of the Indian Penal  
Code and Section 27 of Arms Act.

3.Allegation against the co-accused persons is that  
they came at the house of the informant with deadly weapons  
and started abusing the informant as well as his family  
members. Further, co-accused, namely, Ramkrishna Yadav,  
Balkrishna Yadav and Dharo Yadav fired upon the informant's  
mother due to which she sustained injury and later on during



the course of her treatment, she died. It is also alleged that some other co-accused persons fired upon the informant's family members.

4. 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 village politics. It is further submitted that the specific allegation of opening fire upon the deceased is against co-accused, namely, Ramkrishna Yadav, Dharo Yadav and Balkrishna Yadav not against this petitioner rather the petitioner being the member of unlawful assembly due to which he has been dragged in this alleged offence. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 09.02.2023.

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

6. 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 Beldour P.S. Case No. 35 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 Judicial Magistrate,  
1<sup>st</sup> Class, Khagaria.

(Sunil Kumar Panwar, J)

Shubham/-

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