

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50551 of 2023

Arising Out of PS. Case No.-98 Year-2023 Thana- BARH District- Patna

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1. AKASH KUMAR SON OF LALAN RAM VILLAGE MAMARKHABAD
PS PANDARAK DISTRICT PATNA
 2. LPRAVEEN KUMAR @ DEGAN SON OF SURESH RAM VILLAGE
MAMARKHABAD PS PANDARAK DISTRICT PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Ajay Kumar Jha

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

ORAL ORDER

- 2 16-08-2023 1. Learned counsel for the petitioners 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 petitioners and learned A.P.P. for the State.
3. The petitioners have preferred this application for grant of regular bail in connection with Barh P.S. Case No. 98 of 2023 dated 10.02.2023 registered for the offences punishable u/s 302, 120B read with section 34 of the Indian Penal Code and Section 27 of the Arms Act.
4. As per the prosecution case, six miscreants boarded on two motorcycles intercepted the informant's motorcycle and



the co-accused Arun Yadav pushed his motorcycle and his father fell down. The co-accused Nagendra Prasad exhorted to kill, the co-accused Bablu Yadav fired on the left side of the informant's father who died on the spot. Sanjay Yadav also fired on the informant but he was saved. The co-accused Ranjeet Yadav and Mauli Yadav holding pistols were exhorting to kill.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. Nothing incriminating material has been recovered from the conscious possession of the petitioners. The petitioners are not named in the FIR. The name of the petitioners surfaced on the basis of confessional statement of co-accused Vicki Kumar. There is no eye witness to the alleged occurrence. The co-accused person has already been granted bail by the Coordinate Bench of this Court vide order dated 07.07.2023 passed in Cr. Misc. No. 31292 of 2023. The petitioner no.1 has clean antecedent as well as petitioner no. 2 is accused in one more criminal case as stated in para 3 of the bail petition. The petitioners are in custody since 16.02.2023.

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



7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Barh, Patna in connection with Barh P.S. Case No. 98 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Alok Verma/-

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