

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57019 of 2023**

Arising Out of PS. Case No.-241 Year-2021 Thana- KISHANPUR District- Supaul

PRABHASH KUMAR @ PRABHASH KUMAR YADAV Son of Prabhu  
Yadav Resident of village - Bagewa, P.s. - Kishanpur, Distt. - Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arun, Adv

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

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

3      18-10-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 324, 326, 307, 379, 504 and 506 of the Indian Penal Code and sections 25(1-b)a, 26, 37, 27 of the Arms Act, later Section 302 I.P.C subsequently added.

3. As per the prosecution case, the petitioner and the other co-accused persons armed with weapons surrounded the informant's son and his colleague Shivchandra Yadav and assaulted Shivchandra Yadav as he had not cast his vote in their favour and had supported Panna Devi, upon which Umesh Yadav fired on Shivchandra Yadav which hit him on the outer part of his head. In the meantime, the co-accused Prabha Yadav



also assaulted on the head of the Suman Kumar with brick and the co-accused Ramnath Yadav assaulted Suman Kumar on his forehead with farsa. Further Umesh Yadav also assaulted Suman Kumar on his head with the butt part of the pistol causing severe injuries.

4. It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. Name of the petitioner has transpired in the confessional statement of co-accused Umesh Yadav. It is further submitted that the said Umesh Yadav, against whom there is direct allegation of opening fire, has been enlarged on bail vide order dated 08.12.2022.. passed in Cr. Misc. No. 48453. It is submitted that the allegations against the petitioner is general and omnibus in nature. Petitioner is in custody since 02.11.2022.

5. The application for bail is opposed by learned APP for the State.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M.,



Supaul in connection with Kishanpur P.S. Case No. 241 of 2021

(Sunil Kumar Panwar, J)

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