

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50557 of 2023

Arising Out of PS. Case No.-391 Year-2019 Thana- KHAJANCHI HAT District- Purnia

RAKESH YADAV @ RAKA, aged about 25 years (M), SON OF
GANDHARI YADAV RESIDENT OF VILLAGE - MARANGA, P.S. - K.
HAT (MARANGA), DISTRICT - PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR, PATNA

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 02-08-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.
2. Petitioner seeks regular bail in connection with K.
Hat (Maranga) P.S. Case No. 391 of 2019 dated 05.06.2019
registered for the offence(s) punishable under Section(s) 302,
120(B)/34 of the Indian Penal Code and Section 27 of the Arms
Act.
3. This is second prayer for the relief of regular bail
after his earlier prayer for the same relief was rejected by this
Court vide order dated 22.02.2023 passed in Cr. Misc. No.30028
of 2022 preferred by this petitioner.
4. The fresh grounds taken by this petitioner are
petitioner's judicial custody period as well as liberty granted to



him by this Court in his earlier rejection order. It is submitted by learned counsel for the petitioner that this Court granted liberty to the petitioner to renew his bail prayer after the framing of charge in the earlier rejection order and accordingly in the light of the said liberty, petitioner has again come for the relief of regular bail as upon the petitioner, charges have been framed on 01.06.2023. It is further submitted that six accused persons including this petitioner have been named in the FIR but any specific role of the petitioner has not been revealed and the allegation is general and omnibus against all the accused persons including the petitioner and out of the said six accused persons five have been granted bail by different co-ordinate Benches of this Court vide Annexures 3 and 4 series and petitioner, who is carrying similar nature of allegation, has been languishing in jail since 07.07.2021.

5. Learned APP appearing for the State has opposed the bail prayer.

6. Considering the above submissions and mainly taking into account the petitioner's custody period and also the fact that other co-accused persons carrying similar nature of allegation are on bail, this Court is now inclined to accept the present second bail prayer of the petitioner. Accordingly, let



the petitioner named-above be enlarged on bail in connection with K. Hat (Maranga) P.S. Case No. 391 of 2019 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

Sanjay/-

U		T	
---	--	---	--

