

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53707 of 2023

Arising Out of PS. Case No.-24 Year-2023 Thana- MURAR District- Buxar

Prakash Yadav Son Of Jay Prakash Singh @ Munna Yadav Resident Of
Village-Ojha Baraon, P.S. Murar, District-Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Arvind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-10-2023 Heard learned counsel for the petitioner, informant
and learned APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 147, 149, 302, 307,
506, 504 and 120B of the Indian Penal Code and Section 27 of
the Arms Act.

3. The allegation against the petitioner along with
others is of firing upon the brother of the informant under
conspiracy leading to his death. It is further alleged that the
accused persons have also fired upon the son of the informant
due to which he sustained injury in his stomach.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to
land dispute. He has committed no offence. There is no specific



overt act against the petitioner rather the specific allegation against co-accused Vikash Yadav, who shot fired upon the brother of the informant, due to which he died. He submitted that the petitioner's family and the informant's family are own agnates of each other and there is an admitted land dispute between them from very before on account of their shares in the ancestral land and such contention itself stated by the informant in his *fardbeyan* before the police and due to that reason disputes always arose between them. No incriminating article has been recovered from the conscious possession of the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 14.03.2023.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that this petitioner caught hold the son of the informant and the other co-accused fired upon him.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. 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 1st Judicial Magistrate, Buxar in connection with Murar P.S. Case No. 24 of 2023.

(Sunil Kumar Panwar, J)

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