

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55195 of 2022

Arising Out of PS. Case No.-329 Year-2021 Thana- MUNGER MUFFASIL District- Munger

Prabin Yadav alias Prawin Kumar Yadav, S/O Sri Nityanand Yadav, Resident
Of Village- Tikarampur, Bihari Marar Tola, Police Station Mufassil, District
Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suman Kumar Mishra, Advocate

For the Opposite Party/s : Ms.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-01-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Muffasil
P.S. Case No.329 of 2021(S.T. No.223 of 2022) registered for
the offence punishable under Section 147/302/384/506 of the
Indian Penal Code and Section 27/35 of the Arms Act.

Informant has alleged that accused persons, including
the petitioner, have raised obstruction in construction of a
culvert for coercing the payment of protection money.

It is submitted by the learned counsel for the
petitioner that specific allegation of assault by firearm, is against
co-accused Santosh Yadav. As regards other accused persons,
including the petitioner, there is allegation that subsequently



they have indiscriminately fired upon the victim. The said allegation is only to rope in other accused persons, including the petitioner. Considering the fact that the firearm injury is attributed against co-accused Santosh Yadav, this Court has granted anticipatory bail to one co-accused Majjo Yadav in Cr.Misc. No.10408 of 2022. The allegation is so far as the petitioner is concerned, is one and the same. The petitioner's implication is on account of his antecedents, though he has no role to play in the instant case. He is in custody since 06.05.2022.

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

Considering the rival submissions, claim based on parity and period of custody and the fact that by now investigation is complete, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-III, Munger, in connection with Muffasil P.S. Case No.329 of 2021(Sessions Case No.223



of 2022), subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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