

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60948 of 2023

Arising Out of PS. Case No.-61 Year-2018 Thana- PHULPARAS District- Madhubani

Pramod Yadav S/O Jibachh Yadav R/O Village And Ps. Phulparas, Dist.
Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 302, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, it is alleged that the father of the informant sustained gunshot injury caused by Sanjay Yadav and Md. Gulzar Miyan and subsequently he died. The petitioner is only alleged to be present at the place of occurrence.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case. There is no specific overt act against the petitioner. He is only the member



of mob and the specific allegation of opening fire upon the deceased is against co-accused Sanjay Yadav and Md. Gulzar. Similarly situated other co-accused namely, Pandit Yadav has already been enlarged on bail by another coordinate Bench of this Court vide order dated 29.10.2018 passed in Cr. Misc. No. 57029 of 2018. It is also submitted that petitioner is languishing in judicial custody since 02.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Phulparas P.S. Case No. 61 of 2018 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-III, Jhanjharpur, Madhubani.

(Sunil Kumar Panwar, J)

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