

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62332 of 2023**

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

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RAM LOCHAN YADAV @ LOCHAN YADAV @ LOCHAN son of Late
Jaleshwar Yadav Village Po- Phulparas Ps- Phulparas Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Raj Kishor Singh

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

2 05-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 147, 148, 149, 341, 302, 504, 506, of the Indian Penal Code and Section 27 of the Arms Act.

3. As per FIR, the allegation against the accused persons is that they stopped the informant's father while he was returning home by his motorcycle after that they assaulted him and during the course of the occurrence co-accused namely, Sanjay Yadav and Gulzar Miyan fired upon the informant's father due to which he sustained gunshot injury and died.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner is not named in the FIR and he has falsely been implicated in this present case merely on the basis of confessional statement of co-accused. The informant is not an eye witness of the alleged occurrence and there is no specific allegation levelled against the petitioner rather general and omnibus allegation levelled against him. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 05.03.2019 passed in Cr. Misc No. 12889 of 2019. It is further submitted that the petitioner is languishing in judicial custody since 02.11.2022.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Phulparas P.S. Case No. 61 of 2018 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 and Sessions Judge-III,
Jhanjharpur, District Madhubani.

(Sunil Kumar Panwar, J)

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