

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63788 of 2023

Arising Out of PS. Case No.-242 Year-2017 Thana- PHULPARAS District- Madhubani

Ram Lochan Yadav @ Lochan Yadav @ Lochan son of Late Jaleshwar Yadav
Village- Phulparas Purwari Tol Ps- Phulparas Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav
		Mr. Ravi Prakash
For the Opposite Party/s	:	Mr. Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-10-2023 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 448, 147, 148, 149, 302, 307, 120(B) of the Indian Penal Code and Sections 27, 25(1-b)a, 26, 35 of the Arms Act.

As per prosecution case, the accused persons including the petitioner variously armed entered into the Angan of the informant and fired upon the nephew of the informant namely, Tasindra Mandal, as a result of which he sustained gunshot injury and died in the way going for treatment.

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. He has no concern with the alleged occurrence. General and omnibus allegation has been



levelled against him and no any specific allegation alleged against him. He is the member of mob. The specific allegation against the co-accused Pramod Yadav who opened fire in the abdomen of the informant's nephew due to which he fell down and died The other co-accused namely, Ram Tahal Yadav has already been enlarged on bail by another coordinate Bench of this Court vide order dated 26.04.2019 passed in Cr. Misc. No.8500 of 2019. It is also submitted that petitioner is languishing in judicial custody since 23.08.2022.

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. 242 of 2017 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, Jhanyharpur, Madhubani.

(Sunil Kumar Panwar, J)

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