

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60934 of 2022

Arising Out of PS. Case No.-389 Year-2019 Thana- LALGANJ District- Vaishali

Prabhakar @ Bablu @ Sharad Prabhakar Son Of Rameshwar Prasad Singh
R/O Village- Maripur, P.S.- Muzaffarpur Sadar, District- Vaishali

... .. Petitioner

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Kumar @ Vijay Kr. Singh, Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-03-2023 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in a case registered for the offence punishable under sections 307/302/120B and other ancillary sections of the Indian Penal Code and section 27 of the Arms Act.

Prosecution case is that petitioner and co-accused Uday Pandey fired indiscriminately on the informant and his brother. Both sustained bullet injuries and informant's brother died in PMCH during treatment.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to village rivalry as well panchayat election. Police after investigation submitted final form against the petitioner and three other accused persons showing them not sent up for trial on the ground of mistake of fact. However, Court below



differing with the same took cognizance of the offence against the petitioner. Petitioner has got no criminal antecedent.

Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate IX, Vaishali at Hajipur in Lalganj Police Station Case No. 389 of 2019, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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