

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61384 of 2022

Arising Out of PS. Case No.-168 Year-2022 Thana- MIRGANJ District- Gopalganj

ANKIT KUMAR @ PRAKASH YADAV Son of Amarjeet Yadav @ Bittu Chaudhary Resident of Village - Jigra Rajghat, P.S.- Mirganj, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 66102 of 2022

Arising Out of PS. Case No.-168 Year-2022 Thana- MIRGANJ District- Gopalganj

AKASH YADAV Son of Amarjeet Yadav @ Bechu Chaudhary @ Bittu Chaudhary R/V- Jigana Rajghat, P.S- Mirganj, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 61384 of 2022)

For the Petitioner/s : Mr.Vyas Kumar Mishra

For the Opposite Party/s : Mr.Arun Kumar Pandey

(In CRIMINAL MISCELLANEOUS No. 66102 of 2022)

For the Petitioner/s : Mr.Vyas Kumar Mishra

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-03-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The petitioners have prayed for bail in a case instituted for the offence under Sections 302, 120(B)/34 of the Indian Penal Code.



As per allegation in the FIR, several accused persons surrounded the husband of the informant and started to abuse. On protest, co-accused Sachin and Manu Yadav have caught hold his hands and co-accused Nagendra Yadav and Birendra Yadav have fired upon her husband. On way to hospital, he died.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. They are not named in the FIR. According to prosecution, there is no specific overt act against the petitioners rather specific allegation of firing is against Nagendra Yadav and Birendra Yadav. During investigation, no consistent material has come against the petitioner to show his involvement in the present case. Wife of the deceased is eye witness of the occurrence and she has not stated the name of the petitioner. Petitioners are languishing in judicial custody since 17.5.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail



bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge X, Gopalganj in connection with Mirganj P.S. Case No. 168 of 2022.

(Sunil Kumar Panwar, J)

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