

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63996 of 2022

Arising Out of PS. Case No.-60 Year-2022 Thana- MAHKAR District- Gaya

SUBHASH YADAV S/O Hirday Yadav R/O Village- Bhawani Bigha, P.S-
Mahkar, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Supriya Rani, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 4 24-04-2023 1. Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.
2. Heard learned counsel for the petitioner and the learned APP for the State.
3. Petitioner seeks regular bail in connection with Mahkar P.S. Case No. 60 of 2022 dated 10.06.2022 registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 302, 337 and 338 of the Indian Penal Code and Section 27 of Arms Act.
4. The main submissions advanced by petitioner's counsel are that the petitioner is 21 years old and the prosecution has failed to produce the injury report of



Harinarayan Yadav (informant) despite specific direction having been given to the prosecution by this Court on 03.04.2023 and two co-accused persons namely Hirday Yadav and Mahesh Yadav, who are carrying similar nature of allegations, have been granted bail by a co-ordinate Bench of this Court vide order dated 29.03.2023 passed in Cr. Misc No. 62122/2022. Further submissions are that against the petitioner, there is no specific allegation in the FIR and he has fair and clean antecedent and has been languishing in jail since 11.06.2022 and altogether 9 persons have been named in the FIR and the main allegation of firing upon the deceased is against co-accused persons namely Ravindra Yadav and Manish Kumar.

5. Learned APP appearing for the State has opposed the bail prayer.

6. Considering the above submissions and mainly the nature of allegation appearing against the petitioner, his young age as well as the privilege of bail having been granted to similarly situated two co-accused persons mentioned-above, in my opinion the petitioner deserves to a lenient approach of this Court. Accordingly, let the petitioner named-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



the Court concerned in connection with Mahkar P.S. Case No. 60 of 2022.

7. Let the copy of this order be sent to the Director General of Police, Bihar for needful information about the negligence committed by Superintendent of police, Gaya for not ensuring the compliance of this Court's order dated 03.04.2023, for sending the injury report of the informant of the present matter.

(Shailendra Singh, J)

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