

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71867 of 2023

Arising Out of PS. Case No.-328 Year-2021 Thana- JOGAPATTI District- West Champaran

Nandlal Yadav Son Of Bhikham Yadav Village- Kawlapur Virta Ps- Nawalpur
Op Dist- West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra
For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 147, 148, 149, 448, 504, 506, 302 of the Indian Penal Code and Section 27 of Arms Act.

3. The prosecution case in nutshell is that accused persons, variously armed, came at the door of her devar, Dharmendra Yadav and tried to break the front door of his house. It is further alleged that co-accused Kedar Yadav started abusing the informant's



family. It is further alleged that at the order of co-accused Gauri Yadav, all the accused persons entered into the house and shoot father-in-law of the informant due to which he succumbed to gun shot injuries. It is further alleged that in the light of torch, informant saw that co-accused Balister Yadav was holding gun in his hand.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is further submitted that petitioner is non assailant and the allegation levelled against him is that he was member of mob. There is general and omnibus allegation levelled against him and the specific allegation of shot fire is against co-accused Balister Yadav. Moreover, the petitioner is languishing in judicial custody since 25.05.2023.

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



6. 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 Yogapatti Nawalpur P.S. Case No. 328 of 2021 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 C.J.M., Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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