

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65834 of 2022

Arising Out of PS. Case No.-139 Year-2022 Thana- KHAJAULI District- Madhubani

BADRI YADAV @ BADRI NARAYAN YADAV Son of Late Yogendra Yadav @ Yogendra Viraji Resident of village - Parwa Hanuman Nagar, P.S.- Jaynagar, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Prakash, Adv.
	:	Mr. Gagan Dev Yadav, Adv.
	:	Mr. Ravi Prakash, Adv.
For the Opposite Party/s	:	Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 307, 302, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution story, in brief, is that when the informant going to plot of *gitti-sand* from Durga Mandir Chowk, he heard the sound of firing then he rushed towards plot, where he saw the accused persons hurling weapon in their hands and fled away towards Khajauli. When the informant reached at place of occurrence, he found the his son and one



person sustained gun shot injury. Thereafter, they were taken to hospital where doctor declared the informant's son brought to dead.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. There was earlier dispute between the parties due to which the petitioner has falsely been implicated in this case. From perusal of FIR, it appears that the specific allegation against co-accused persons namely, Md. Salim, Md. Javed, Satrugan Yadav & Lala Mishra who were hurling weapons in their hands at the place of occurrence. The petitioner has no concern with the alleged occurrence. It is further submitted that the petitioner is languishing in judicial custody since 6.8.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner has got five criminal antecedents.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Khajauli P.S. Case No. 139 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of learned Judicial Magistrate 1st Class,
Madhubani.

(Sunil Kumar Panwar, J)

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