

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69316 of 2023

Arising Out of PS. Case No.-66 Year-2022 Thana- MURLIGANJ District- Madhepura

Ashish Kumar @ Lalu Yadav S/O Anmol Yadav R/O Village- Laxmipur
Chandiasthan, Ward No. 01, P.S- Kumarkhand, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Yadav

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-11-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 324, 326, 307, 302 and 34 of the Indian Penal Code and Section 27 of Arms Act.

3. Prosecution case in short, is that, when the informant along with his brother and other persons had gone to see Saraswati Pooja. While they were returning to their home, altogether all the accused persons including this petitioner came there on motorcycles and started assaulting the informant's brother and one Nilesh Kumar Yadav by means of dagger. It is further alleged that both injured were taken to Murliganj Hospital where informant's brother was



declared dead and Nilesh Kumar Yadav was referred to Madhepura Hospital.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is no any specific allegation of assault against the petitioner. Nothing consistent material has come during the course of investigation against him. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated several co-accused persons have already been granted bail by another co-ordinate Benches of this Court vide Annexure-2 series of this petition. Moreover, the petitioner is languishing in judicial custody since 05.08.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Murliganj P.S. Case No. 66 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 Additional Sessions Judge-III, Madhepura.

(Sunil Kumar Panwar, J)

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