

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75609 of 2023

Arising Out of PS. Case No.-195 Year-2016 Thana- PHULPARAS District- Madhubani

RAM LOCHAN YADAV @ LOCHAN YADAV SON OF LATE
JALESHWAR YADAV RESIDENT OF VILLAGE AND P.S. -
PHULPARAS, DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Sections 147, 148, 149, 341, 323, 324, 326, 307 of the Indian Penal Code and Section 27 of the Arms Act and later on Section 302 of the IPC was added.

3. As per prosecution case, the petitioner along with other co-accused persons are alleged to have assaulted and fired upon the informant and his son as a result of which, son of the informant namely, Om Prakash Yadav sustained injury and died during course of treatment. The alleged incident took place in the background of land dispute between the parties.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to



dirty village politics. He has committed no offence. There is general and omnibus allegation against the petitioner rather the specific allegation against co-accused Sukh Sagar, who shot fire upon the head of the informant's son due to which he succumbed to injuries. There is no specific overt act against the petitioner of firing. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 22.09.2023 passed in Cr. Misc. No. 62666 of 2023. He is languishing in judicial custody since 10.04.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No. 195 of 2016.

(Sunil Kumar Panwar, J)

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