

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3927 of 2023

Arising Out of PS. Case No.-127 Year-2009 Thana- ATRI District- Gaya

Ashok Yadav S/O Badri Yadav R/V- Bahorma, P.S.- Neemchak Bathani,
District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Asgher Najmi

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-09-2023 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 302 and 34 of the Indian Penal Code, Section 27 of Arms Act and Section 17 of the CLA Act.

3. The allegation against the petitioner is that he along with other co-accused persons being members of Maowadi Groups formed an unlawful assembly and in prosecution of the common object of the said unlawful assembly, they did indiscriminate firing due to which two persons died.

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 due to village politics. It is



further submitted that there is no specific allegation has been levelled against the petitioner rather general and omnibus allegations have been levelled against all the accused persons including this petitioner. Nothing consistent material has come against him to implicate in this alleged occurrence. Similarly situated other co-accused person has already been granted bail by the different co-ordinate Bench of this Court vide order dated 08.10.2013 in Cr. Misc. No. 40820 of 2013.

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 Atri P.S. Case No. 127 of 2009 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIIth, Gaya.

(Sunil Kumar Panwar, J)

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