

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74194 of 2022

Arising Out of PS. Case No.-159 Year-2011 Thana- KARPI District- Jehanabad

MAHIPAL SAO Son of Late Basant Sao R/V- Koni, P.S- Karpi, (Bansi O.P)
Dist- Arwal Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-03-2023 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 342, 307, 34 of the Indian Penal Code and Section 27 of Arms Act and later on added section 302 of IPC.

The prosecution story, in brief, is that on 31.12.2011 at 6:30 PM, while the informant was coming from market, the petitioner along with co-accused persons caught him and dragged him near Government Paiyn. Thereafter, co-accused Manish Yadav fired upon the informant, who died during course of treatment.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. From



perusal of FIR, it appears that the reason of the occurrence has been stated by the informant is old enmity but kind of enmity has not been disclosed by him and falsely been made accused in the present case. It is further stated that the specific allegation of firing has been made against co-accused namely, Manish Yadav not against this petitioner. The petitioner has got no criminal antecedent and languishing in judicial custody since 15.7.2022.

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

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 Kapri P.S. Case No. 159 of 2011 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-VIII, Jehanabad.

(Sunil Kumar Panwar, J)

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