

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78586 of 2023

Arising Out of PS. Case No.-167 Year-2023 Thana- MURLIGANJ District- Madhepura

Himanshu Kumar Son Of Ravindra Yadav @ Rabindra Kumar Ravi @ Gholu
Yadav Resident Of Village - Murho Tola, Ward No.14, P.S. - Murliganj,
District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Wasi Ahmad Khan, Advocate
For the State : Mr. Abhay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Murliganj P.S. Case No. 167 of 2023 instituted for the offence
under Sections 302, 120(b), 34 of the Indian Penal Code and 27
of the Arms Act.

3. As per prosecution case, the accused persons,
including the petitioner came to the shop of informant and
demanded some articles from the grandson of the informant.
Further, on the order of this petitioner, co-accused, namely,
'Bauwa Yadav' fired on the informant's grandson, leading to his
death.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 27-05-2023. Petitioner is a man of clean antecedents.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is no specific allegation attributed to the petitioner. Other co-accused has been allowed bail by Co-ordinate Bench of this Court vide order dated 11-10-2023, passed in Cr. Misc. No. 61244 of 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, charge sheet having been submitted and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Murliganj P.S. Case No. 167 of 2023 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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