

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80863 of 2023

Arising Out of PS. Case No.-128 Year-2019 Thana- PARBATTa District- Khagaria

Bahadur Yadav S/O Chhotelal Yadav Village- Bari Lagar, Ps. Parbatta, Dist.
Khagaria.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 147, 148, 149, 323, 386, 387, 302, 120(B) of the Indian Penal Code and Section 27 of Arms Act.

Prosecution case in nutshell is that when the informant along with his husband and family members were at her door, in the meantime, petitioner along with co-accused persons, variously armed, came at the door of the informant and petitioner and co-accused Masudan



Yadav and other co-accused persons caught hold the husband of informant and co-accused Mantu yadav fired upon him due to which he sustained fire arm injuries on his head and succumbed to injuries.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is no specific allegation of firing against the petitioner rather the allegation of firing upon informant's husband is levelled upon co-accused Mantu Yadav. Moreover, the petitioner is languishing in judicial custody since 03.10.2023. Similarly situated several co-accused persons have been granted bail by this Court as well as co-ordinate Bench of this Court (Annexed as Annexure 2 series).

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 in connection with Supplementary Parbatta P.S.
Case No. 128 of 2019 on furnishing bail bond of Rs.
10,000/- (Rupees ten thousand) with two sureties of the
like amount each to the satisfaction of the learned
Additional Sessions Judge V, Khagaria.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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