

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81069 of 2023

Arising Out of PS. Case No.-207 Year-2022 Thana- PASRAHA District- Khagaria

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KUNDAN YADAV Son of Late Bindeshwari Yadav VILLAGE_
BANDEHRA, P.S. PASRAHA, DISTT. KHAGARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr.Anil Kumar

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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.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 342, 323, 307, 302/34 of the Indian Penal Code and Section 27(3) of Arms Act.

3. As per prosecution case, the FIR named accused persons including the petitioner surrounded the sons of the informant and started firing. Co-accused Raja Yadav opened fired which hit chest of the informant's son due to which he succumbed to injury.

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. He is only member of mob and no specific overt-act has been attributed against him. From



perusal of FIR, it appears the specific allegation of firing is against co-accused Raja Yadav who shot fired upon the informant's son due to which he died. The petitioner has got no criminal antecedent and languishing in judicial custody since 26.36.2023. Moreover, similarly situated co-accused namely, Rajesh Yadav has already been granted bail by a co-ordinate Bench of this Court vide order dt. 25.7.2023 passed in Cr. Misc. No. 29399 of 2023.

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 him on bail. The above named petitioner is directed to be released on bail in connection with Supplementary Pasraha P.S. Case No. 207 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Khagaria.

(Sunil Kumar Panwar, J)

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