

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4149 of 2024

Arising Out of PS. Case No.-34 Year-2023 Thana- SAMHO District- Begusarai

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Subodh Yadav son of Jitan Yadav Vill- Shamho Totaha Ps- Shamho Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 231-01-2024
1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Samho P.S. Case no.34 of 2023 registered under sections 302, 307 and other sections of the Indian Penal Code.

3. As per the prosecution case, the informant states that over a dispute between the parties, while the accused persons including this petitioner caught hold of her husband, on the orders of Ram Chandra Choudhary, Abhishek Rai fired twice on her husband. As a result of the gunshot injury sustained, her husband died.

4. It is submitted by learned counsel for the



petitioner that the petitioner has been falsely implicated in the case. No overt act has been alleged against him. He is in custody since 22.11.2023 and undertakes to cooperate in the case. Chargesheet has been submitted in the case. It is lastly submitted that the case of the petitioner stands on a similar footing to that of Krishna Rai who has been enlarged on bail vide order dated 9.1.2024 passed in Cr. Misc. no.82464 of 2023.

5. Heard learned A.P.P. for the State and learned counsel for the informant.

6. Learned counsel for the informant states that not only the petitioner is named in the FIR but there is direct allegation against him of having actively participated in the crime. The order granting bail to Krishna Rai is distinguishable on the ground that he was not having criminal antecedent while the petitioner has a case pending against him.

7. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR being similar to that of coaccused Krishna Rai who has been enlarged on bail by the aforesaid order dated 9.1.2024 together with the petitioner having remained in custody since 22.11.2023, the Court directs the petitioner to be enlarged on bail in connection with Samho P.S. Case no. 34 of 2023 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 Chief Judicial Magistrate-IV, Begusarai.

(Partha Sarthy, J)

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