

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5438 of 2024

Arising Out of PS. Case No.-31 Year-2014 Thana- ISMAILPUR District- Bhagalpur

Phantush Yadav, aged about 40 years, Male Son of Shudhir Yadav, Resident
of Village- Kamlakund P.S.- Ismailpur (Naugachia) District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Ismailpur PS Case No. 31 of 2014 instituted for the offences
punishable under Sections 147,148,149,341,302 of the Indian
Penal Code and Section 27 of the Arms Act.

3. The FIR was lodged against ten named accused
persons and five to six unknown persons. It is alleged in the
FIR that all the accused persons made indiscriminate firing
causing death of the informant's brother.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. From perusal of the case diary, FIR and bail rejection order of the learned 3rd Additional Sessions Judge, Naugachia, Bhagalpur dated 06.12.2023, it appears that total ten named and five unknown persons have been made accused. Similarly situated co-accused persons namely Subodh Yadav @ Subodh Kumar Yadav has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 3995 of 2019 dated 25.01.2019. Similarly situated other co-accused persons namely Rajesh Mandal and Arvind Yadav have already been granted bail by a co-ordinate Benches of this Court and Sarbin Yadav has already been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 2016 of 2016 dated 22.01.2018. Petitioner is in custody since 07.11.2023.

5. Learned APP opposes the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner above named 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 the learned 3rd Additional Sessions Judge, Naugachia, Bhagalpur in connection with S.T.



No. 397A/2019 arising out of Ismailpur PS Case No. 31 of
2014.

(Ramesh Chand Malviya, J)

Anand Kr.

U		T	
---	--	---	--

