

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16719 of 2024

Arising Out of PS. Case No.-292 Year-2023 Thana- MANIHARI District- Katihar

Dilip Yadav Son Of Late Mahesh Yadav R/O-Dilarpur, P.S.-MANIHARI,
Distt.-KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-03-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Manihari P.S. Case no.
292 of 2023 registered under sections 307 and 34 of the Indian
Penal Code and sections 25(1-B)a, 26, 27 and 35 of the Arms
Act.

3. As per the prosecution case, the informant states
that the petitioner along with one another came on a motorcycle
and the person who was sitting on the motorcycle with the
petitioner fired on the informant, however his shot misfired. The
accused managed to escape.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. Even as per



the allegations in the F.I.R, the overt act as alleged is against the co-accused and not the petitioner herein who is in custody since 10.1.2024.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R, his not having been arrested on the spot, the allegations of overt act as per the F.I.R being against the co-accused and not this petitioner and his being in custody since 10.1.2024, the petitioner is directed to be enlarged on bail in connection with Manihari P.S. Case no. 292 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 Chief Judicial Magistrate, Katihar.

(Partha Sarthy, J)

Harsh/-

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