

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22176 of 2024

Arising Out of PS. Case No.-809 Year-2023 Thana- MAJHAULIA District- West Champaran

VISHWANATH YADAV S/O LATE SAJAWAL YADAV R/O VILLAGE-
DUMARI, P.S- MAJHOLIA, DISTT.- WEST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Majholia P.S. case No. 809 of 2023 instituted for the offences
under Sections 302/34 of the IPC and 27 of the Arms Act.

3. Prosecution case, in short, is that the accused
persons including this petitioner assaulted the brother of the
informant. It is further alleged that the co-accused Chhote Lal
Yadav fired on the brother of the informant and as a result he
sustained injuries and died on the way to hospital.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel for the petitioner submitted that general and



omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The specific allegation of firing on the deceased is attributed against the co-accused Chhote Lal Yadav. Similarly situated co-accused person has already been granted bail by this Court vide order dated 07.03.2024 passed in Cr. Misc. No. 14248 of 2024. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.09.2023 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with Majholia P.S. case No. 809 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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