

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29966 of 2024

Arising Out of PS. Case No.-172 Year-2023 Thana- ANDHRATHARHI District- Madhubani

Rohit Yadav @ Guddu Yadav Son Of Ramjapit Yadav Resident of Village -
Singiyaun, Dhamaura, P.S. - Andhratharhi, District - Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivnandan Bharti, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-04-2024 Heard learned counsel for the petitioner and learned A.P.P
for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Andharatharhi P.S. Case No. 172 of 2023 dated 10.12.2023 registered for the offences punishable u/ss 307 and read with Section 34 of the Indian Penal Code and sections 27 of the Arms Act and later on Section 302 of the Indian Penal Code was added.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have shot the informant's husband dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. As per the impugned order, the name of villagers who informed about the alleged occurrence to the informant has not been mentioned which clearly indicates that entire prosecution is based on suspicion.



It is further submitted that the petitioner has no concern with the alleged offence. No incriminating article has been recovered from the conscious possession of the petitioner. There is general and omnibus allegation against the petitioner. Learned counsel has further submitted that the petitioner has two criminal antecedents. The petitioner is in custody since 15.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhubani in connection with Andhratharhi P.S. Case No. 172 of 2023, with the condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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