

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29694 of 2024

Arising Out of PS. Case No.-249 Year-2018 Thana- GOGRI District- Khagaria

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Kusho Yadav son of Khekho Yadav Village- Fudkichak Ps- Gogri Dist-
Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate

For the Opposite Party/s : Ms.Renu Kumari, APP

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

ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Gogri
P.S. case No. 249 of 2018 instituted for the offences under
Sections 160 and 307 of the Indian Penal Code and Section 27
of the Arms Act.

3. Prosecution case, in short, is that a free fight took
place between two groups. This petitioner was also a member of
the group. It is further alleged that one Amarjit Sah was hit by a
bullet in the clash.

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. Similarly situated co-accused person has already been granted bail by a Coordinate Bench of this Court vide order dated 09.10.2018 passed in Cr. Misc. No. 62667 of 2018. It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.05.2023 and has eight criminal antecedents.

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, *after framing of charge, if not already framed*, 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 Gogri P.S. case No. 249 of 2018.

(Rudra Prakash Mishra, J)

Alok Verma/-

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