

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30077 of 2024

Arising Out of PS. Case No.-202 Year-2020 Thana- GOGRI District- Khagaria

Kusho Yadav Son of Khekho Yadav Resident of Village- Fudkichak, P.S.-
Gogri, Dist.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 23-04-2024 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. 202 of 2020 instituted for the offence under
Sections 307 & 353 of the Indian Penal Code and Section 27 of
the Arms Act.

3. Prosecution case in short is that on secret
information, police proceeded towards the location and on upon
seeing the police party, the petitioner opened fired and somehow
managed to escape.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 08-05-2023. Petitioner
bears eight criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Nothing has been recovered from the place of occurrence as also there is no seizure list prepared. It is submitted that allegation of using firearms is attributed to the petitioner by the police, however, no empty cartridges were recovered from the alleged place of occurrence, which would manifest the falsity of the prosecution version. It is lastly submitted that charge sheet has already been submitted in this case.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. 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 Gogri P.S. Case No. 202 of 2020, subject to the following conditions:

(I) One of the bailors shall be own/close member of the



family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj kishore/-

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