

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32694 of 2024

Arising Out of PS. Case No.-176 Year-2017 Thana- MANIHARI District- Katihar

=====

FULO YADAV S/O LATE BHUNESHWAR YADAV @ BHUVNESHWAR
YADAV @ BHUMESHWAR YADAV R/O VILLAGE- BAKIYA SUKHAI,
P.S- BARAI, DISTT.- KATIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

=====

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

ORAL ORDER

2 07-05-2024 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 Manihari P.S. Case No. 176 of 2017 dated 03.06.2017 registered for the offences punishable u/ss 307, 353, 147, 148, 149 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, on 02.06.2017 at 11.00 A.M. the informant received secret information that one notorious criminal, Mohan Thakur along with his gang holding lethal weapons was roaming for looting crops of the farmers in Kamalpur Diyara and as soon as he reached there, on seeing the police personnel, all the miscreants started firing on them and



police chased but Mohan Thakur along with his gang succeeded to fee away. Empty cartridges were recovered from the place of occurrence.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. No one sustained fire arm injury. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 02.11.2018 passed in Cr. Misc. No. 64849 of 2018. The petitioner has six criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 25.07.2023.

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, Katihar in connection with Manihari P.S. Case No. 176 of 2017, with a 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)

guddukr/-

U		T	
---	--	---	--

