

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 42247 of 2024

Arising Out of PS. Case No.-112 Year-2023 Thana- MAHESHKHUNT District- Khagaria

Sarvesh Yadav S/O Gajo Yadav R/O Village Biharimarartola Tikrampur, P.S.
Muffasil, Distt- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandan Kashyap, Adv.
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Maheshkhunt P.S. Case No. 112 of 2023 dated 03.06.2023, lodged under Sections 302, 397, 427 and 34 of the I.P.C. read with Section 27 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been lodged against unknown accused persons with allegation that some miscreants fired upon the informant, due to which he sustained fire injury and later on, the injured caused death.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the petitioner is not named in the F.I.R., rather his name has figured in this case by virtue of confessional statement

of the co-accused, namely, Pampam Yadav. He further submits that the said Pampam Yadav has already been granted bail by this Court vide order dated 20.02.2024 passed in Cr. Misc. No. 9081 of 2024. He further submits that the other co-accused person has also been granted bail by the Co-ordinate Bench of this Court vide order dated 08.11.2023 passed in Cr. Misc. No. 72037 of 2023.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail but only after framing of charge, if not framed on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Khagaria in connection with Maheshkhunt P.S. Case No. 112 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

7. It is made clear that the Trial Court shall accept the bail bond of petitioner on being satisfied that he is not absconding in the cases pending against him, as follows:-

(i) Muffasil P.S. Case No. 123 of 2019.

(ii) Muffasil P.S. Case No. 146 of 2019.

8. With this observation, the bail application stands
allowed.

(Dr. Anshuman, J)

sadique/-

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