

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42034 of 2024

Arising Out of PS. Case No.-185 Year-2023 Thana- UCHKAGAON District- Gopalganj

Sohan Kumar Yadav Son Of Shambhu Yadav Resident Of Village - Parasiya
Khurd, P.S. - Mairwa, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey, Advocate

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

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

ORAL ORDER

2 24-06-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Uchkagaon P.S. Case No. 185 of 2023 instituted for the offence
under Sections 307 & 34 of the Indian Penal Code and Section
27 of the Arms Act.

3. Prosecution case in short is that owing to land
dispute, the accused persons, variously armed and covering their
face, came to the shop of the informant and shot fire upon him
and fled away.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 10-08-2023. Petitioner
bears seven 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. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused. There is no specific allegation against the petitioner. There is general and omnibus allegation against the petitioner. Other co-accused has been granted bail by this Court, *vide* order dated 04-12-2023, passed in Cr. Misc. No. 76908 of 2024.

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 claim based on parity, 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 Uchkagaon P.S. Case No. 185 of 2023, 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.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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