

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50134 of 2024

Arising Out of PS. Case No.-338 Year-2023 Thana- RANIGANJ District- Araria

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Rupesh Kumar Yadav @ Rupesh Yadav S/O Sri Ugan Yadav @ Uganand
Yadav R/O Village- Belsara, P.S- Raniganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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

ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Raniganj P.S. case No. 338 of 2023 instituted for the offences
under Sections 302, 120B, 34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. As per the prosecution case, on the date of
occurrence, accused persons armed with various weapons came
at the door of informant and when the son of the informant
opened the door, co-accused, namely Madhav Yadav @ Lat
Sahab fired upon his son causing gunshot injury due to which he



died on the spot.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 31.10.2023 and has five criminal antecedents, but he is on bail in all the cases. The petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submits that there is no specific allegation against this petitioner rather general and omnibus allegation has been made against him. The specific allegation of firing is alleged against co-accused Madhav Yadav @ Lat Sahab. It is next submitted that charge sheet has already been submitted in this case. Similarly situated co-accused person has already been granted bail by a Coordinate Bench of this Court vide order dated 30.01.2024 passed in Cr. Misc. No. 3815 of 2023.

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, the period of custody undergone by the petitioner, charge sheet being submitted and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. 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 Raniganj P.S. case
No. 338 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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