

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56429 of 2024

Arising Out of PS. Case No.-336 Year-2023 Thana- ALAMGANJ District- Patna

Vijay Yadav @ Vijay Pandey @ Vijay Kumar Pandey son of Late Lalbabu Rai
@ Arjun Rai @ Braj Nandan Prasad Shastri Village- Shitla Mandir
Biscomaun Colony Payarelal Ki Bag Ps- Alamganj Dist- patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gauri Shankar Yadav, Adv.
For the informant	:	Mr. Arvind Kumar Mouar, Adv.
		Mr. Raj Krishna Jha, Adv.
For the Opposite Party/s :		Mr.Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 12-09-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Alamganj P.S. Case No. 336 of 2023 dated 18.04.2023
registered for the offences punishable under Sections 302,
120B/34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, on 18.04.2023 at 3.20
P.M., Raj Mistry called the informant's husband regarding
carrying of cement then her husband went there and after 15
minutes, one Mistry Ajit Kumar came and told the informant
that two persons came and fired four rounds on her husband and
then they fled away. The informant then after went to her



constructed house and saw that her husband was lying down near the boundary. The informant carried her husband to hospital where he was declared dead. The informant also told before the police that there was land dispute between the co-accused persons and the informant's husband. They gave threatening to the informant's husband and Vijay Yadav (petitioner) and Anil Singh lodged 6-7 cases against her husband.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is land dispute between the parties. No direct and indirect evidence against the petitioner. There is case and counter case between the parties. No incriminating article has been recovered from possession of the petitioner. The co-accused person has already been granted regular bail by this court vide order dated 28.06.2024 passed in Cr. Misc. No. 12699 of 2024. The petitioner has 9 criminal antecedents in which he is acquitted in 1 case as stated in paragraph no. 2 of the supplementary affidavit filed on behalf of the petitioner. He is in custody in this case since 27.11.2023.

5. Learned A.P.P. for the State and learned counsel for the informant have 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 A.C.J.M.-IV, Patna City, Patna in connection with Alamganj P.S. Case No. 336 of 2023 with the condition :-

(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 be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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