

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59600 of 2024

Arising Out of PS. Case No.-321 Year-2023 Thana- HALSI District- Lakhisarai

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Lokesh Yadav @ Kailash @ Tike @ Kaila Son of Bharat Yadav @ Sahira
R/V-Village- Kurauta, P. S. - Halsi, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar
For the Opposite Party/s	:	Mr.Parmanand Prasad
For the Informant	:	Mr.Vijay Kumar

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Halsi (Ramgarh Chowk) P.S. Case No. 321 of 2023, registered for the offences punishable under Sections 341, 307, 504/34 of the IPC and Section 27 of Arms Act.

3. As per allegation, when the informant was going to Ramgarh Chowk, the accused persons including the petitioner intercepted his way and started abusing him. Further, at the order of co-accused Ashok Yadav, the petitioner fired shot on him which hit at his back and sustaining injuries, he fell down on the ground.

4. The learned counsel for the petitioner has



submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is brother-in-law of co-accused Ashok Yadav. The informant was an accused in murder case of son of Ashok Yadav. It has further been submitted that the petitioner is under custody since 07.12.2023. He has falsely been implicated merely because he is brother-in-law (*Saala*) of co-accused Ashok Yadav.

5. On the other hand, the learned counsel for the informant as well as the learned APP for the State have opposed the prayer for bail and submitted that there is specific allegation against the petitioner that he fired shot at the back of the injured. He is direct assailant and the injury report is corroborated by the medical report. They have submitted further that a number of cases are pending against the petitioner in the districts of Jamui and Lakhisarai.

6. Considering the above-mentioned facts and circumstances as well as period of custody which is more than eight months, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Lakhisarai in connection with Halsi (Ramgarh Chowk) P.S. Case No. 321 of 2023, subject to the



following condition:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) **Before accepting the bail bond, the criminal history of the petitioner shall be verified from the Superintendent of Police, Jamui as well as Superintendent of Police, Lakhisarai and if it is found that the petitioner is involved in any other case except two cases which have been mentioned in paragraph 3 of the bail petition, his bail bond shall not be accepted.**

(Nawneet Kumar Pandey, J)

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