

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69068 of 2024

Arising Out of PS. Case No.-495 Year-2023 Thana- GHOSI District- Jehanabad

Mohi Yadav S/o Haricharan Yadav R/o village-Lakhawar, P.S-Ghosi, Dist.-
Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Jogendra Kumar
For the State	:	Mr.Gauri Shankar Gupta
For the informant	:	Mr. Amrendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 22-11-2024 1. Heard learned Counsel for the petitioner, learned Counsel for the informant and learned Additional Public Prosecutor for the State.
2. The petitioner seeks regular bail in connection with Ghosi Police Station Case No. 495 of 2023, dated 26.07.2023, registered for the offence punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.
3. The prosecution case, in brief, is that on 25.07.2023, at about 05:30 PM, the son of the informant (now deceased) was called by co-accused Nitish Kumar and both went to an orchard in the village and when the younger son of the informant went to call the deceased, the petitioner and co-



accused Awadhesh Yadav caught the hands of the deceased and started assaulting him. It has been alleged that co-accused Haricharan Yadav assaulted the deceased by means of iron rod and at the instance of co-accused Awadhesh Yadav, co-accused Rakesh Kumar fired upon the deceased. After which the younger son of the informant fled towards village and narrated the entire occurrence to his mother. The deceased was carried to the hospital but he was declared dead.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of the information provided to the police by its spy. He further submits that the allegation against the practitioner is only of catching the hand of the deceased and the specific allegation of assault is against other co-accused persons. He further submits that the petitioner is in custody since 25.03.2024.
5. Having heard learned Counsel for the parties and taking into consideration the fact that the petitioner is in custody since 25.03.2024, the allegation against the petitioner is general and omnibus in nature and charge sheet has been



submitted against the petitioner, as such, there is no likelihood of the petitioner being abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

- 6. This application is allowed.
- 7. Accordingly, let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, in connection with Ghosi Police Station Case No. 495 of 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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