

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69708 of 2023

Arising Out of PS. Case No.-80 Year-2023 Thana- GWALPARA District- Madhepura

Umesh Kumar@ Kailash Yadav S/O Arjun Yadav R/o Gawalpara Ward No. 04, P.S. - Gawalpara,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Gwalpara P.S. Case No. 80 of 2023, registered for the offences punishable under Sections 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, when the informant was going to Gwalpara by his motorcycle by taking his mother, then on they way, the petitioner along with his two brothers stopped the informant and on order of co-accused Ramesh Yadav, the petitioner shot bullet from his firearm hitting into the chest of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. He further submits that there is land dispute between the parties and the informant and petitioner both are the agnates and the Doctor found that the weapon which is used in crime is hard and blunt substance and not the firearm. He also submits that charge against the petitioner has already been framed by the learned Court below and he is in jail custody since 15.05.2023 and the petitioner undertakes to co-operate in the trial.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Udakishunganj, District- Madhepura or Concerned Court Below in connection with Gwalpara P.S. Case No. 80 of 2023.

(Sunil Dutta Mishra, J)

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