

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78371 of 2024

Arising Out of PS. Case No.-81 Year-2023 Thana- GOGRI District- Khagaria

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Budhan Yadav Son of Chamaklall Yadav @ Chamak Yadav Resident of
Village - Shishwa, P.S.- Gogri, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 13-11-2024 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Sessions Case No. 401A of 2023, arising out of Gogri
P.S.Case No. 81 of 2023 dated 03.03.2023 registered for the
offences punishable under Sections 302/34 of the I.P.C. and
Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and
the co-accused persons alongwith 3-4 unknown miscreants
holding weapons were standing beside the road. The co-
accused Amar Yadav fired from his rifle which hit the chest
of the informant's husband and thereafter the rest of the co-



accused persons fired indiscriminately and thereafter all the accused persons fled away from the place of occurrence.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that there is no specific allegation of firing is against the petitioner rather the specific allegation of firing on the informant's husband is against the co-accused Amar Yadav. There is general and omnibus allegation against the petitioner. The other co-accused person has already been granted bail by this court *vide* order dated 25.07.2024 passed in Cr. Misc. No. 46073/2024. The petitioner has three criminal antecedents as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 20.07.2024.

5. Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, 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 the learned Additional Sessions Judge-X, Khagaria, in connection with Sessions Case No. 401A of 2023, arising out of Gogri P.S. Case No. 81 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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