

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76330 of 2023

Arising Out of PS. Case No.-239 Year-2022 Thana- AMARPUR District- Banka

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LALLU YADAV @ AMIT KUMAR @ AMIT YADAV Son of Ramdev
Yadav @ Ramde Yadav R/o vill - Jankipur, P.S. - Amarpur, District. - Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Vishwa Ranjan Choudhary, Advocate Mr. Rahul Kumar, Advocate
For the Opposite Party/s :	Mr. Mohammad Sufyan, APP Mr. Ganesh Sharma, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 29-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no.532 of 2023, arising out of Amarpur P.S Case no.239 of 2022 registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, ten named accused persons including the petitioner herein are said to have come variously armed and one co-accused Ram Avatar Yadav shot at the informant's mother injuring her in her eyes. All the accused escaped.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The allegations are specific against Ram Avatar Yadav while against the petitioner and others are general and omnibus in nature. The petitioner is in custody since 2.5.2023.

5. The prayer for bail is opposed by learned A.P.P for the State and learned counsel for the informant. It is submitted be learned counsel for informant that not only the petitioner is named in the FIR but there is direct allegation against him of having actively participated in the occurrence in which the mother of the informant sustained firearm injury.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR wherein the specific allegation of firing on the mother of the informant being against Ram Avatar Yadav and not the petitioner herein together with the petitioner having remained in custody for about 10 months since 2.5.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no.532 of 2023 (arising out of Amarpur P.S Case no.239 of 2022) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional



Sessions Judge-I, Banka.

(Partha Sarthy, J)

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