

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81491 of 2023

Arising Out of PS. Case No.-153 Year-2023 Thana- PASRAHA District- Khagaria

Balmiki Yadav Son Of Late Gopal Yadav @ Late Bhopal Yadav Resident Of
Village - Tehay, Police Station - Pasraha, District - Khagaria

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 307, 326/34 of the Indian Penal Code and Section 27 of Arms Act.

3. As per prosecution case, it is a case of firing by the co-accused Hitlar Kumar upon the informant's son Sonu Kumar and Jitendra Kumar due to which they sustained gunshot injuries. The petitioner is said to be an associate of the main co-accused.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. From perusal of FIR, it appears that the specific allegation of firing is against co-accused Hitlar Kmar not against this petitioner. He is



only father of Hitlar Kumar due to which he has been made an accused in this case. He is languishing in judicial custody since 6.6.2023. Moreover, similarly situated co-accused namely, Kunal Kumar has already been granted bail by this Court vide order dt. 4.12.2023 passed in Cr. Misc. No. 76950 of 2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Pasraha P.S. Case No. 153 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria.

(Sunil Kumar Panwar, J)

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