

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79624 of 2023

Arising Out of PS. Case No.-98 Year-2022 Thana- KHARIK District- Bhagalpur

Bhawesh Yadav Son Of Sabhapati Yadav @ Sabhapat Yadav R/O Village-
Bhawanipur, P.S.- Rangra, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the State : Mr. Satyendra Narayan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 29-01-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Kharik
P.S. Case No. 98 of 2022 instituted for the offence under
Sections 302, 307, 120(B)/34 of the Indian Penal Code and 27
of the Arms Act.

3. As per prosecution case, the allegation against the
accused persons is that they came on two motorcycles and fired
upon father of the informant due to which he sustained gunshot
injury.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 31-08-2023. Petitioner



bears two criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Name of the petitioner has been surfaced in this case due to confessional statement of co-accused, namely, Hiralal Kumar @ Raja @ Rajwa, who has been granted bail by Co-ordinate Bench of this Court vide order dated 19-09-2023 passed in Cr. Misc. No. 33899 of 2023. Other co-accused have also been granted bail by Co-ordinate Bench of this Court passed in Cr. Misc. No. 55790 of 2022 & Cr. Misc. No. 62535 of 2023. It is submitted that no specific allegation is attributed to the petitioner and petitioner is not named in the F.I.R.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kharik P.S.



Case No. 98 of 2022.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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