

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.84019 of 2023

Arising Out of PS. Case No.-351 Year-2022 Thana- KUSHESHWARASTHAN District-
Darbhanga

BIKASH YADAV S/O SAMANJAY YADAV VILLAGE- TILKESHWAR,
PS. KUSHESHWAR ASTHAN,DIST. DARBHANGA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Prasad

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kusheshwar Asthan (Tilkeshwar O.P.) P.S. Case No. 351 of
2022 registered for the offence under Section 302/34 of the
Indian Penal Code and under Section 27 of the Arms Act.

3. As per the prosecution case, the accused persons
came armed and fired indiscriminately. Subsequently, on the
orders of Shankar Yadav and Khalat Yadav one firing was made
which hit the deceased.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case due to village politics.

5. It has further been submitted by the learned counsel
for the petitioner that other co-accused namely Shyam Yadav
has already been granted bail by this Court vide order dated
21.07.2023 passed in Cr. Misc. No. 41261 of 2023.



6. It is also submitted by the learned counsel for the petitioner that the petitioner is in jail since 24.08.2023.

7. Learned APP for the State vehemently opposed the prayer of the petitioner for grant of bail.

8. Considering the aforesaid facts and also considering the reasons mentioned in the order dated 21.07.2023 passed in Cr. Misc. No. 41261 of 2023, this application is allowed.

9. Let the petitioner, above named, be released on bail after framing of charge on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate/concerned Court below in connection with Kusheshwar Asthan (Tilkeshwar O.P.) P.S. Case No. 351 of 2022.

10. As a condition of this order, the petitioner, on being released on bail is directed to co-operate in the trial either by appearing personally or through his lawyer in the trial Court on the dates fixed for hearing.

(Sandeep Kumar, J)

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