

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31456 of 2025

Arising Out of PS. Case No.-249 Year-2012 Thana- BARH District- Patna

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Munni Lal Yadav Son of Gopal Yadav R/o Soeima, P.S.- Barh, District -
Patna, Bihar Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Avinash Kumar Singh, Advocate

For the Opposite Party/s : Mr. B.N. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 15-05-2025 Heard Mr. Avinash Kumar Singh, learned counsel for
the petitioner and Mr. B.N. Pandey, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

3. The case of the prosecution is that the petitioner along with others has made an ambush with a view to kill the nephew of the informant. It is alleged that the petitioner ordered Bhimal Yadav to fire on his order, Bhimal Yadav made fire due to which the nephew of the informant received gun shot injury and died thereafter.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Learned counsel for the petitioner has submitted that in the later part of the Fardbeyan, the



informant has stated that when she reached the place of occurrence after hearing the noise of firing, accused persons fled away. Learned counsel for the petitioner has submitted that this statement goes to show that the informant is not the eye witness and that she has not seen anything and it is not possible for her to see as to who has ordered to fire. Moreover, the petitioner is languishing in judicial custody since 01.07.2024.

5. Learned APP appearing for the State has also submitted that from the FIR itself, it is clear that the informant is not the eye witness.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Barh P.S. Case No. 249 of 2012 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 1st, Barh.

(Ashok Kumar Pandey, J)

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