

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81890 of 2024

Arising Out of PS. Case No.-195 Year-2024 Thana- KHARIK District- Bhagalpur

Pawan Yadav @ Pawan Kumar Yadav Son of Naresh Yadav Resident of
Village - Jamaldipur, Police Station - Kharik, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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

ORAL ORDER

3 19-02-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Kharik
P.S. Case No. 195 of 2024 instituted for the offence under
Sections 191(2), 191(3), 190, 308(2), 308(5), 303(2), 109 & 352
of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the
Arms Act.

3. Prosecution case in short is that all the FIR named
persons, including the petitioners came to the Lattipur Chowk
and looted Rs. 32,500/- from Fulo Mandal & Rs. 7,000/- from
Sudhir Singh and Rs. 42,000/- from the informant and made
indiscriminate firing for several rounds.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 20-09-2024. Petitioner bears two criminal antecedents whereas petitioner No.2 bears one criminal antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. No specific allegation has been attributed to the petitioner. Since petitioner and villagers are co-villagers, hence due to village politics and personal grudges, informant has named this petitioner. Petitioner has no concern with accused, namely, Pappu Yadav and Sakla Yadav and he is simply milkman. Police after investigation has submitted charge sheet in this case.

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 charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner, be released on bail, *after framing of charge, if not already framed*, 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. 195 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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