

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62122 of 2022**

Arising Out of PS. Case No.-60 Year-2022 Thana- MAHKAR District- Gaya

1. HIRDAY YADAV S/o Badho Yadav R/o Village- Bhawani Bigha, P.S.- Mahkar, Distt- Gaya.
2. Mahesh Yadav S/o Hirday Yadav R/o Village- Bhawani Bigha, P.S.- Mahkar, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Supriya Rani

For the Opposite Party/s : Mr.Dashrath Mehta

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      29-03-2023                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners seek regular bail in connection with Mahkar P.S. Case No. 60 of 2022 registered for the offence under Sections 147, 148, 149, 323, 324, 307, 302, 337, 338 of the IPC and Section 27 of the Arms Act.

The prosecution story, in brief, is that on 9.6.2022 the informant along with his brother Ashok Yadav was going to Bhawani Bigha, in the meantime, the accused persons including the petitioner came there and co-accused Manish Kumar fired in the right side of throat of the informant's brother due to which he sustained injuries and he died. It is further alleged that the accused persona also assaulted the informant by means of *bhala* and *garasa*.



Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. From perusal of the FIR, specific overt-act is against co-accused namely, Manish Kumar who fired upon the deceased due to which he died and the postmortem report also corroborates this fact. It is further submitted that the allegation against these petitioners of assaulting to the informant is general and omnibus in nature. Moreover, the petitioners are languishing in judicial custody since 11.6.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Mahkar P.S. Case No. 60 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M., 1<sup>st</sup> Class, Gaya.

**(Sunil Kumar Panwar, J)**

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