

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.16753 of 2021**

Arising Out of PS. Case No.-275 Year-2020 Thana- NAWANAGAR District- Buxar

Brij Kumar @ Moti Yadav, Son of Sukhari Singh Yadav, Resident of Village  
Amirpur, P.S. Nawanagar, District Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

|                            |                          |
|----------------------------|--------------------------|
| For the Petitioner/s :     | Mr. Rajesh Kumar Sinha   |
| For the Opposite Party/s : | Mr. Bimlesh Kumar Pandey |
|                            | Md. Shakir Ahmad         |

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN  
ORAL ORDER**

3      22-10-2021                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Petitioner seeks bail in Navanagar P.S. Case No.275 of  
2020, registered for the offence punishable under Section 307 of  
the Indian Penal Code.

The prosecution case, in brief, is that when the  
informant was going for morning walk to Nawanagar High School  
on 09.08.2020 at 4.45 A.M., he was stabbed by a person standing  
there.

Learned counsel for the petitioner submits that the  
petitioner is not named in the FIR and he has falsely been  
implicated in the present case. It is submitted that name of the  
petitioner surfaced in the present case on the basis of his  
confessional statement made in another case. It is further



submitted that there is no eye witness of the occurrence. The petitioner is in custody since 11.09.2020. The petitioner has got two criminal antecedents as stated in paragraph 3 of the bail petition.

Learned Additional Public Prosecutor for the State as well as learned counsel for the informant vehemently opposed the prayer for bail of the petitioner and submit that the petitioner was identified by the informant and there is specific allegation against the petitioner.

Perused the records including the case diary. It appears that there is no eye witness of the occurrence and only on Whatsapp, the informant identified the petitioner.

Having considered the facts aforesaid, let petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, III<sup>rd</sup>, Buxar in connection with Navanagar P.S. Case No.275 of 2020, giving rise to S.T. No.101/2020.

**(Anjani Kumar Sharan, J.)**

Sanjay/-

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