

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18367 of 2021**

Arising Out of PS. Case No.-232 Year-2020 Thana- NARPATGANJ District- Araria

SUSHIL KUMAR BAHARDAR SON OF YOGI BAHARDAR RESIDENT
OF VILLAGE- BARIYARPUR, P.S- NARPATGANJ DIST- ARARIA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan
For the Opposite Party/s : Mr.A.G.

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

2 14-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is expected to honour
his undertaking to remove the defects, as pointed out by the office,
when called upon to do so by the office.

The petitioner is/are apprehending his/their arrest in
connection with Narpatganj P.S. Case No. 232 of 2020 for the
offence registered under Sections 302, 379 and 34 of the Indian Penal
Code and Section 27 of the Arms Act.

The prosecution case in brief is that in the night of
27.05.2020 at around 10 p.m. informant's son was shot dead. The
incident was seen by Gulshan Yadav and Krityanand Yadav who
were returning from Purnea on their motorcycle. It is alleged that few
villagers had also seen the named accused persons running away
from the place of occurrence. Further, it is alleged that two days back



accused Vijay Bahadur and other two named accused had threatened to kill the deceased.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in connection with the present case. Petitioner is not named in the first information report. It is further submitted that name of the petitioner has surfaced on the basis of the confessional statement of co-accused Shravesh Yadav made before the police, which has no evidentiary value. It is further submitted that Vijay Bahadur is the main assailant of the deceased. The allegation of firing is against Vijay Bahadur and not against this petitioner. It is further submitted that the petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his/their arrest/surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-VI, Araria in connection with Narpatganj P.S. Case No. 232 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Sunil Kumar Panwar, J)

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