

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38343 of 2021

Arising Out of PS. Case No.-511 Year-2019 Thana- KRITYANAND NAGAR District- Purnia

Sunil Yadav @ Sunil Kumar @ Sunil Kumar Yadav Son of Late Jay Narayan
Yadav @ Bouku Yadav Resident of Village - Satkodiriya, Dumariya, P.S.- K.
Nagar (Maranga), District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 03-11-2021 Heard learned counsel for the parties.

The petitioner seeks bail in K.Nagar (Maranga) P.S.
Case No.511 of 2019, G.R. No. 488 of 2019, registered for the
offence under Section 307 & other allied sections of the Indian
Penal Code and Section 27 of the Arms Act.

As per the prosecution case, on the alleged date and
time of occurrence, this petitioner alongwith other FIR named
accused persons came at the brick kiln of informant and
committed the murder of brother of the informant. It is further
alleged that this petitioner and others were demanding *rangdari*
of Rs. Five Lacs and also pressurizing the informant to
withdraw the previous case lodged by him.

Learned counsel for the petitioner submits that there is



no evidence against this petitioner. Informant is not the eye-witness of the occurrence and petitioner has been falsely implicated in this case only on suspicion and due to previous enmity. It is further submitted that save & except confessional statement of co-accused Prabhash Kumar Yadav, there is nothing against this petitioner. Petitioner is in custody since 19.03.2020. Chargesheet has already been submitted.

However, learned A.P.P. for the State opposed the bail petition and submitted that there is specific allegation against the petitioner of causing fire-arm injury to deceased and during course of investigation, one of the injured witness has also identified the petitioner, as one of the assailants of the deceased. Other witnesses in their respective statements recorded under Section 164 Cr.P.C. have also supported the prosecution case.

Considering the aforesaid facts and circumstances and the materials collected during course of investigation, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J.)

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