

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4977 of 2021

Arising Out of PS. Case No.-45 Year-2020 Thana- KAUWAKOL District- Nawada

SANJAY YADAV @ SANJAY KUMAR Son of Chandan Yadav @
Chandeshwar Yadav Resident of Village - Madhurapur, P.S.- Kawakol, Distt.-
Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Durgesh Nandan Mr. Mahendra Prasad Bhartee
For the Opposite Party/s	:	Mr. Nand Kishore Prasad
For the Informant	:	Mr. Amit Kr. Pandey

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 25-10-2021 Heard Mr. Durgesh Nandan, learned counsel for

the petitioner and Mr. Amit Kumar Pandey, the learned

Advocate for the informant. The State is represented by the

learned APP.

The petitioner seeks bail in anticipation of his

arrest in connection with Kawakol P.S. Case No. 45 of 2020

instituted for the offences under Section 302/34 of the

Indian Penal Code and Section 25(1-b), 26 and 27 of the

Arms Act.

The father of the informant is alleged to have been

shot dead. The petitioner and others are being prosecuted in



this case on suspicion as the petitioner was also one of the accused persons in an earlier case lodged for having attempted to kill the father of the informant.

The learned counsel for the petitioner has submitted that beyond suspicion there is only one material which is in the nature of confession of an arrested accused person. There is no other material to connect the petitioner with the offence and the accusation against him is, therefore, completely in the domain of suspicion and conjecture.

This Court had called for the case diary which has since been received.

Apart from the afore-noted materials, viz. the confession of an arrested accused person in which the petitioner has been named and suspicion against him because of his being an accused in an earlier case in which an attempt was made at the life of the deceased, there is no other material to connect the petitioner with the offence.

For the reasons afore-stated, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of



eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additionsl Chief Judicial Magistrate -IV, Nawada, in connection with Kawakol P.S. Case No. 45 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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