

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5251 of 2021**

Arising Out of PS. Case No.-89 Year-2013 Thana- KUTUMBA District- Aurangabad

Sanjay Yadav @ Abhay Yadav Son Of Birta Yadav R/O Village-Bel Bigha,
P.S.- Mali, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Adv.

For the Opposite Party/s : Ms. Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 25-03-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Kutumba P.S. Case no. 89 of 2013 registered under sections 302 and 34 of the Indian Penal Code, section 27 of the Arms Act and section 17 of the CLA Act.

As per allegation in the F.I.R., the informant's brother who had gone to Aurangabad did not return. Subsequently it transpired that he had been killed.

It is submitted by learned counsel for the petitioner that the name of the petitioner transpired in the confessional statement of co-accused Binda Singh made before the police. The said Binda Singh has himself been enlarged on bail vide



order dated 3.2.2015 passed in Cr.Misc. no.4502 of 2015. It is further submitted that another co-accused Nageshwer Singh whose name also transpired on the confessional statement of Binda Singh, has also been enlarged on bail vide order dated 19.2.2019 (Annexure 3/1) passed in Cr.Misc. no.70598 of 2018 . The petitioner is in custody since 27.2.2020 and charge sheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the period in custody together with the grant of bail to co-accused Binda Singh on whose confessional statement the name of the petitioner transpired, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Kutumba P.S. Case no. 89 of 2013 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM- II, Aurangabad.

(Partha Sarthy, J)

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