

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38391 of 2021

Arising Out of PS. Case No.-45 Year-2021 Thana- BUXAR INDUSTRIAL District- Buxar

RAJU YADAV S/o Vishan Yadav @ Hira Lal Yadav R/o Village-
Dharampura, P.S.- Itarhi, Dist- Buxer.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate Dr. Kamal Deo Sharma, Advocate
For the Opposite Party/s	:	Mr. Bacchanjee Ojha, APP
For the Informant	:	Mr. Alexander Ashok, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 07-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307, 348, 323 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, it is stated that while the informant and one Rahul Yadav were going on a motorcycle they were signaled to stop. Enquiry was made as to who Rahul was and thereafter it is stated that the accused person fired from his katta injuring Rahul on the right side of his head, hand etc.

It is submitted by learned senior counsel appearing for the petitioner that the FIR was registered against three unknown. No material has transpired in course of investigation to connect the petitioner with the alleged crime. The material being relied



on by the prosecution is the extra judicial confessional statement of one Laloo Yadav made before police and subsequent confession of the petitioner himself. It is submitted that the petitioner has not been put on T.I Parade. He is in custody since 26.3.2021 and investigation in the case has concluded. He has no criminal antecedent.

The application for bail is opposed by learned APP for the State and learned counsel for the informant who submits that in his confession co-accused Laloo Yadav has given a detailed description about the planning and the manner of occurrence wherein the petitioner has been actively and directly involved.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the submissions made on behalf of the petitioner together with charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Buxar (Ind.) P.S. Case no. 45 of 2021 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 C.J.M, Buxar.

(Partha Sarthy, J)

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