

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39054 of 2021

Arising Out of PS. Case No.-85 Year-2019 Thana- NARAINPUR District- Bhojpur

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RAM BHARAT YADAV @ RAM BHARATH YADAV S/o Rama Kant Singh
R/o village- Lasarhi, P.S.- Agiaun, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Rina Sinha

For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-01-2022 Heard learned counsel for the parties through video conferencing.

Petitioner seeks regular bail in connection with Narayanpur P.S. Case No. 85 of 2019 registered for the offence under Sections 302 / 307 / 34 of the I.P.C. and Section 27 of the Arms Act.

As per the allegation contained in the First Information Report six named accused persons along with two unknown persons arrived at the jewellery shop of the informant and opened fire due to which the brother of the informant and one customer sustained fire arm injuries and the brother of the informant subsequently died in hospital.

Learned counsel for the petitioner submits that petitioner is not named in the First Information Report whereas



specific names of the accused persons have been disclosed by the informant who arrived at his shop along with unknown and also the name of the persons who opened fire upon the brother of the informant. Learned counsel next submits that his name has transpired on the basis of the confessional statement made by the co-accused Vikash Kumar. She further submits that except confessional statement no other material is there against the petitioner and there is no *prima facie* evidence against the petitioner to connect him with the present offence. She next submits that the co-accused persons who are named in the First Information Report namely, Satyendra Singh and Vicky Kumar have been granted anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 29114 of 2020. The petitioner is in custody since 01/02/2021 and charge sheet has already been submitted.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that F.I.R. named accused persons have been granted bail by a Co-ordinate Bench of this Court, no incriminating material has been recovered from the possession of the petitioner, petitioner is in custody since 01/02/2021 and charge sheet has already been submitted, I am inclined to grant



regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Danapur, Patna in connection with Narayanpur P.S. Case No. 85 of 2019.

(Anil Kumar Sinha, J)

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