

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3074 of 2023

Arising Out of PS. Case No.-196 Year-2022 Thana- AAJAM NAGAR District- Katihar

SURESH YADAV Son of Late Mohan Yadav R/V- Dhenanagar, P.s- Azamnagar,
Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Musowir

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 120(B)/34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, while the informant and her husband were returning from temple, on way two miscreants intercepted them and opened fire which hit on the abdomen of informant's husband. It is further alleged that prior to this occurrence, accused persons had also attacked on brother-in-law- of the informant but anyhow he saved his life.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. During



investigation, no specific material has come against the petitioner to show his involvement in commission of murder of informant's husband. Both parties are on inimical term since long due to property dispute. Only on the basis of suspicion, petitioner has been made accused in this case. Informant is said to be the eye witness of the occurrence but she has not made specific allegation of firing against the petitioner. It is also an admitted fact that co-accused Niranjana Yadav is the husband of the sister of the deceased and this false case has been lodged only to pressurize the petitioner since the wife of co-accused had demanded her share in her parental properties. Similarly situated other accused persons have already been enlarged on bail by this Court vide order dated 1.12.2022 passed in Cr. Misc. No. 58023 of 2022. Petitioner has no criminal antecedent and he is languishing in judicial custody since 4.7.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties



of the like amount each to the satisfaction of the learned ADJ-V,
Katihar, Katihar in connection with S.T. No. 650 of 2022,
Azamnagar P.S. Case No. 196 of 2022.

(Sunil Kumar Panwar, J)

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