

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8770 of 2023

Arising Out of PS. Case No.-102 Year-2019 Thana- PALI District- Jehanabad

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Bineshwar Yadav S/O Late Dhupan Yadav Resident Of Village- Nonia Bigha,
P.S.- Dhanarua, District- Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 302/34 of the Indian
Penal Code and Section 27 of Arms Act.

As per allegation in the FIR, 3-4 miscreants
allegedly fired upon the brother of the informant, while
he was returning his house after closing his flour mill. It
is further submitted that some miscreants also fired
upon the *Bhagina* of informant. Both persons (brother
and *bhagina* of informant) succumbed to injuries.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in F.I.R. nor anything incriminating has been recovered from his conscious possession. The name of petitioner sprang up in this case on the confessional statement of co-accused Sanjay Yadav, who has already been granted bail vide order dated 02.07.2021, passed in Cr. Misc. No. 86693 of 2019 by the co-ordinate Bench of this Court. Moreover, the petitioner is languishing in judicial custody since 15.12.2021.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on



bail in connection with Pali P.S. Case No. 102 of 2019
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 A.C.J.M. I, Jehanabad.

(Sunil Kumar Panwar, J)

nirajkrs/-

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