

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8434 of 2023

Arising Out of PS. Case No.-33 Year-2021 Thana- PIPRA District- Supaul

SAROJ KUMAR @ SAROJ YADAV S/O MAHANAND YADAV R/v-
Bhoraha, P.S.- Raniganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prafull Chandra Thakur

For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-04-2023 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 398, 302, 307, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the informant alleged that on 4.2.2021 at about 7:35, six miscreants entered into his shop and started robbing. When the son of the informant tried to stop them, one of the accused persons fired upon him as a result of which he shot dead. It is further alleged that one staff of the informant's shop was also sustained fire arm during this incident.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in this case on the basis of suspicion. It is further submitted that the name of the petitioner has transpired in this case on the basis of confession made by co-accused namely, Sharban Kumar before the police who is already getting the privilege of bail granted by a co-ordinate Bench of this Court vide order dated 24.3.2022 passed in Cr. Misc. NO. 50157 of 2021. Except confessional statement of co-accused, nothing consistent material has come against the petitioner. It is further submitted that the petitioner is remanded in this case from Raniganj P.S. case no. 172 of 2022 and languishing in judicial custody since 2.7.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Pipra P.S. Case No. 33 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned Additional Sessions Judge-1st-cum-Special Judge,
Supaul.

(Sunil Kumar Panwar, J)

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