

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10510 of 2023

Arising Out of PS. Case No.-76 Year-2019 Thana- ROSHANGANJ District- Gaya

SARDAR YADAV S/O LATE KESHAR YADAV R/v- Barmoriya, P.S.-
Raushanganj, District- Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Shailendra Kumar

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 prayed for regular bail in a case registered for the offence punishable under sections 148, 147, 149, 302, 120(B) of the Indian Penal Code and Section 27 of the Arms Act and 16, 18, 20 of the UAP Act.

The prosecution story, in brief, is that the accused persons including the petitioner being active members of Naxal group were active in passing information to their organization and the husband of the informant namely, Basant Bhokta was always against their activity due to this reason, on alleged date of occurrence the accused persons restrained the husband of the informant and killed him after firing



indiscriminately.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not named in FIR rather he has been made accused in this case on the basis of confessional statement of co-accused namely, Indradev Yadav which is inadmissible in the eye of law. During investigation, no any consistent material has come against the petitioner. Moreover, similarly situated co-accused namely, Surender Singh Bhokta has already been granted bail by a co-ordinate Bench of this Court vide order 9.11.2022 passed in Cr. Misc. No. 49636 of 2022 and in support of this Annexure-2 has been annexed with this petition. It is further submitted that the petitioner is languishing in judicial custody since 16.11.2022.

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 Raushanganj P.S. Case



No. 76 of 2019 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., Sherghat at Gaya.

(Sunil Kumar Panwar, J)

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