

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19937 of 2023

Arising Out of PS. Case No.-14 Year-2021 Thana- BHANGWANPUR HAT District- Siwan

VIJAY YADAV @ VIJAY RAI S/o Sadhu Rai @ Birendra Rai R/o Village-
Panditpur, P.S.- Janta Bazaar, Distt- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bhagwanpur Hat P.S. Case no.14 of 2021 registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, while the son of the informant was returning home on his motorcycle, some accused persons who were waiting for him are said to have shot at him as a result of which he died. His dead body was discovered subsequently.

4. Learned counsel for the petitioner submits that the F.I.R. was registered against unknown. Referring to the order of the learned trial Court, it is submitted that from perusal of the same, it would transpire that the name of the petitioner



transpired in course of investigation in the confessional statement of co-accused Dipu Rai and Vikash Kumar. Learned counsel further refers to the order of the learned Additional District Judge 8th, Siwan and submits that a number of paragraphs of the case diary has been dealt with therein and there is no direct material so far as the petitioner is concerned. It is lastly submitted that both co-accused Dipu Rai and Vikash Kumar have been enlarged on bail vide common order dated 25.4.2022 passed in Cr. Misc. no.34753 of 2021 and Cr. Misc. no.67950 of 2021. The petitioner is in custody since 12.11.2022 and chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the submissions made, the contents of the order of the learned trial Court, grant of bail to co-accused Dipu Rai and Vikash Kumar on whose confessional statement before the police the name of the petitioner transpired, the petitioner being in custody for 6 months since 12.11.2022 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Bhagwanpur Hat P.S. Case no.14 of 2021 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 Judicial
Magistrate 1st Class, Siwan.

(Partha Sarthy, J)

Saurabh/-

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