

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11372 of 2023

Arising Out of PS. Case No.-137 Year-2022 Thana- DULHIN BAZAR District- Patna

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Gagan Kumar @ Gagan Yadav Son Of Satyanand Yadav Resident Of Village
- Pathak Milki, P.S.- Dulhin Bazar, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-04-2023 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 307,
120B/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case relates to opening fire caused
by the FIR named persons due to which son of the
informant sustained abdomen injury.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case merely on the basis of
confessional statement of co-accused, namely, Mithun
Yadav @ Mithun kumar. During investigation not a single



eye witness has supported the prosecution version. Neither the petitioner was arrested on the spot nor he is named in the FIR. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 09.09.2022.

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 judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Dulhin Bazar P.S. Case No. 137 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist Class, Danapur, District-Patna.

(Sunil Kumar Panwar, J)

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