

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18414 of 2023

Arising Out of PS. Case No.-779 Year-2022 Thana- BRAHMPUR District- Buxar

Birendra Yadav @ Dhirendra Yadav Son Of Late Chandrika Yadav R/V-
Chakki (Bhola Dera), P.S.- Brahampur(Chakki O.P.), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Krishna

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner,

informant and learned A.P.P appearing on behalf of the

State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 147, 148, 149, 447, 341, 323, 307, 427, 504

of the Indian Penal Code and Section 27 of the Arms

Act. Later on, Sections 337, 338 and 302 I.P.C were

also added.

It is alleged that all the F.I.R named accused

persons including the petitioner armed with deadly

weapons came at the door of the informant and started



assaulting him. The informant somehow managed to save his life. It is specifically alleged against Raju Yadav that he shot fire at the informant's side as a result of which Awadhesh Yadav @ Triloki Yadav sustained gunshot injuries and subsequently succumbed to the injuries.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The allegation of firing is against Raju Yadav, Uttam Yadav and Shivji Yadav. There is no consistent material evidence evidence has come during the course of investigation against the petitioner. The petitioner is languishing in custody since 08.11.2022.

In contra, learned counsel appearing on behalf of the informant and learned A.P.P for the State have vehemently opposed the prayer for bail of the petitioner and submitted that petitioner is named in the F.I.R and



one person from the informant’s side has lost his life in the incident.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Brahampur (Chakki O.P.) P.S. Case No. 779 of 2022.

(Sunil Kumar Panwar, J)

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