

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15891 of 2023

Arising Out of PS. Case No.-160 Year-2012 Thana- RAJAON District- Banka

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KUNWAR YADAV @ KANWAR YADAV Son of Tarni Yadav R/V-
Bishanpur Jichho, P.S- Lodipur, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey
For the Opposite Party/s : Mr.Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-07-2023 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 302, 201/34 of the Indian Penal Code and Section 27 of Arms Act.

According to F.I.R., this case has been lodged by the Chowkidar against unknown miscreants after recovery of a unclaimed dead body of young person aged about 30 years having sign of fire arm injury on his back.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the F.I.R. He has falsely been implicated in this case due to dirty village politics. His name has been transpired in this case during course of investigation on the



basis of confessional statement of co-accused Yugal Yadav before the police, which has no evidentiary value in the eye of law. He has got no criminal antecedent. It is further submitted that similarly situated other co-accused persons have already been granted bail by different co-ordinate Benches of this Court vide order dated 07.08.2013 and 16.01.2014 passed in Cr. Misc. No. 29958 of 2013 and Cr. Misc. No. 26774 of 2013 respectively. Moreover, the petitioner is languishing in judicial custody since 20.11.2022.

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 period of 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 Rajoun P.S. Case No. 160 of 2012 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 1st Class, Banka.

(Sunil Kumar Panwar, J)

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