

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17081 of 2023

Arising Out of PS. Case No.-952 Year-2022 Thana- ARA NAGAR District- Bhojpur

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KUNDAN YADAV@KUNAN YADAV SON OF BHARAT YADAV @
BHARAT KUMAR YADAV RESIDENT OF VILLAGE- PIPRA PAKARI,
PS- ARA MUFASSIL, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar

For the Opposite Party/s : Mr.Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 26-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 147, 148, 149, 452, 307
and 302 of the Indian Penal Code and Section 27 of the Arms
Act and later on added Sections 25(1-b)a/26 of the Arms Act.

The allegation against the petitioner along with others
is of firing upon the informant and his son due to which, the son



of the informant succumbed to injury and the informant sustained injuries. It is further alleged that the accused persons committed robbery in the informant's Kirana Shop before two days.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. From the bare perusal of the fardbeyan of the informant it is manifest that death has been caused by fire arm and arrested the petitioner merely on suspicion and has shown the recovery of fire arm from his possession and has added Section after two months i.e., on 25.12.2022. Petitioner has not confessed about the guilt in his confessional statement. Due to highhandedness by police, petitioner has been implicated in this case. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 25.12.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged



on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur, Ara in connection with Ara Town P.S. Case No. 952 of 2022.

(Sunil Kumar Panwar, J)

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