

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19603 of 2023**

Arising Out of PS. Case No.-371 Year-2020 Thana- BUXAR MUFFSIL District- Buxar

Sandeep Yadav S/O Late Uday Narayan Singh Resident Of Village-
Noniyapur, P.S.- Buxar (Muffasil), District- Buxar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Setu Prateek

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

7 11-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 307, 302/34 of the Indian Penal Code and Section 27 of Arms Act.

As per allegation in the FIR, five miscreants surrounded the son of informant and opened firing. They escaped on three motorcycles being driven by three other accused persons. On being taken to the hospital, informant's son was declared dead.

It is submitted by learned counsel for the



petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is further submitted that neither the petitioner is named in F.I.R. nor he was present at the place of occurrence rather at the date of occurrence, he was in jail at Azamgarh (Uttar Pradesh). The name of petitioner sprang up in this case on the confessional statement of co-accused person. From perusal of the progress report, it appears that charge has been framed in this case. Moreover, the petitioner is languishing in judicial custody since 09.12.2021. Similarly situated several co-accused person have been granted bail by co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 in connection with Buxar (Muffasil) P.S. Case No. 371 of 2020 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 Additional District & Sessions Judge XI, Buxar.

(Sunil Kumar Panwar, J)

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