

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22565 of 2023**

Arising Out of PS. Case No.-351 Year-2022 Thana- TRIVENIGANJ District- Supaul

Bhushan Yadav @ Bhushan Kumar Son Of Late Jagdish Yadav Resident Of
Village - Latauna, Ward No. 4, P.S. - Triveniganj, Distt. - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 10-08-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with
Triveniganj P.S. Case No. 351 of 2022 registered for the offence
under Section 302 of the Indian Penal Code and Section 27 of
the Arms Act.

3. The accused/petitioner is not named in the F.I.R.
and is in custody since 07.08.2022.

4. As per F.I.R. husband of informant was shot dead
by unknown person, when he was sleeping in the cow shed at
the intervening night of 21.07.2023

5. Learned counsel appearing on behalf of the
petitioner submitted that the name of petitioner surfaced during
the course of investigation on the basis of suspicion as raised by



police spy for the reason that much prior to this occurrence i.e., about one month back this petitioner was alleged to open fire upon husband of informant, who is none but father of this petitioner out of property dispute. It is also submitted that nothing incriminating surfaced against this petitioner as to connect him with the present occurrence, where one of the reason for suspicion is C.D.Rs (Call Detail Records) as petitioner found in conversation with deceased and his mobile tower location was also found near to the place of occurrence and both these reasons are very natural as deceased was father of the petitioner and was resident of the same locality. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above and by taking note of the fact as save and except suspicion nothing surfaced during the course of investigation, *prima facie*, to connect this petitioner with the present occurrence of murder, coupled with the fact that charge-



sheet has already submitted, where petitioner is in custody since 07.08.2022, accordingly, petitioner, above named, is directed to be released on bail in connection with Triveniganj P.S. Case No. 351 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Supaul/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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