

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23901 of 2023

Arising Out of PS. Case No.-536 Year-2022 Thana- ARA NAGAR District- Bhojpur

Monu Yadav @ Manu Yadav @ Sidhant Kumar Son Of Jitendra Yadav
Village- Maulabagh, Ps- Ara Towan, Bhojpur, At Present- Charkhamba Gali,
Ps- Ara Town, Distt- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Ara Town P.S. Case No. 536 of 2022 dated 16.06.2022, instituted for the offence punishable under Sections 147, 148, 149, 302, 307 and 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that on 15.06.2022 at about 09:00 pm named accused persons assaulted informant and his uncle. On 16.06.2022, the informant with his maternal uncles went to the house of accused persons to resolve the dispute but they assaulted informant and his uncles and fired gun shot on his one maternal uncle who was declared dead at hospital.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he is falsely implicated in this case. It is further submitted that petitioner is not named in the F.I.R. and his name has been transpired in the case only on the basis of confessional statement of co-accused Khatai Yadav and Ashish Kumar @ Bailla without any specific overt act at the police station in presence of the police officials. It is further submitted that there is no eye-witness to the alleged occurrence. Lastly, it has been submitted that the petitioner is in custody since 07.12.2022 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. and learned counsel for the informant opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class Bhojpur, Ara in Ara Town P.S. Case No. 536 of 2022.

(Khatim Reza, J)

Sankalp/-

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