

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24401 of 2023**

Arising Out of PS. Case No.-111 Year-2019 Thana- DULHIN BAZAR District- Patna

SUDAMA YADAV SON OF LATE NANDU YADAV @ SADHU  
RESIDENT OF VILLAGE SARKUNA, PS DULHIN BAZAR, DIST  
PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Paras Nath, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      18-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Dulhin Bazar P.S. Case no.111 of 2019 registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, it is stated by the informant that Rajkumar Yadav assaulted his father. Thereafter as a result of firing resorted to by Umesh Yadav, Mani Bhaskar Kumar Yadav and Vimal Yadav, his father sustained gunshot injuries and died. Other accused persons including the petitioner herein were present hiding near the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. There is no



allegation of overt act against him. He is in custody since 28.8.2022 and has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R. wherein the petitioner is not stated to be the assailant, allegation of firing being on the three above named co-accused together with the petitioner having remained in custody for 8 months since 28.8.2022, chargesheet having been submitted in the case and the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Dulhin Bazar P.S. Case no.111 of 2019 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 Chief Judicial Magistrate 3<sup>rd</sup>, Danapur, Patna.

**(Partha Sarthy, J)**

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