

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26557 of 2023

Arising Out of PS. Case No.-316 Year-2022 Thana- AMAS District- Gaya

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Pintu Kumar Yadav S/O Kail Yadav R/O Village- Chitab Khurd, Tola
Hatwariya, P.S- Amas, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the FIR, the allegation against the petitioner along with other co-accused persons is that they committed murder of the informant's father by firearm.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to land dispute. It is further submitted that no consistent evidence has come in respect of any specific overt act of commission of murder against the petitioner, only on the basis of suspicion that the



petitioner along with other co-accused persons was fleeing just after the occurrence, the petitioner has falsely been implicated in this alleged offence. It is also submitted that postmortem report does not corroborate with the prosecution version and there is no eye witness of the alleged occurrence. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he has voluntarily surrendered on 18.10.2022 since then he is languishing in judicial custody.

Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that the petitioner is named in FIR.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Amas P.S. Case No. 316 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Sherghati, Gaya.

(Sunil Kumar Panwar, J)

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