

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27921 of 2023

Arising Out of PS. Case No.-49 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

KAMLESH YADAV Son of Late Saheb Dayal Singh Resident of village -
Manpur, P.S. - Ara Mufasil (Dhobhan O.P.), Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-05-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant of
regular bail in connection with Ara Muffasil (Dhobhan O.P.) P.S.
Case No. 49 of 2023 dated 31.03.2023 registered for the offences
punishable u/ss 302 and 307 read with Section 34 of the Indian
Penal Code and Section 27 of the Arms Act.

As per the prosecution case, four named accused
persons along with some unknown persons opened fire on the
informant. One Vindhyaachal Prasad was killed.

Learned counsel for the petitioner has submitted that the



petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused Prince Singh. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 24.02.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhojpur at Ara in connection with Ara Mufasil (Dhobhan O.P.) P.S. Case No. 49 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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