

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35483 of 2023

Arising Out of PS. Case No.-112 Year-2020 Thana- DULHIN BAZAR District- Patna

SUJEET KUMAR @ MEWALAL @ SUJIT RAJ SON OF SIDHESHWAR
YADAV @ SUDESHWAR YADAV@ SUDEHSHWAR YADAV @
SIDESHWAR YADAV RESIDENT OF VILLAGE -SARKUNA, PS-
DULHIN BAZAR, DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 35743 of 2023

Arising Out of PS. Case No.-112 Year-2020 Thana- DULHIN BAZAR District- Patna

GAJENDRA YADAV @ GAJENDRA KUMAR Son of Sidheshwar Yadav @
Sudeshwar Yadav Resident of Mohalla - Sarkuna, P.S. - Dulhin Bazar, Distt. -
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 35483 of 2023)

For the Petitioner/s : Mr.Rupesh Kumar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

(In CRIMINAL MISCELLANEOUS No. 35743 of 2023)

For the Petitioner/s : Mr.Rupesh Kumar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 24-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a
case instituted for the offence under Sections 302, 120B and 34
of the Indian Penal Code and Section 27 of the Arms Act.



3. As per allegation in the F.I.R., 15 named accused persons including the petitioners herein came with variously armed when it is alleged that co-accused Nitish Kumar and the petitioners surrounded the informant's brother and shot him dead. On hearing the sound of firing, the informant saw the accused persons and identified them.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case due to dirty village politics. They have committed no offence. There is general and omnibus allegation against these petitioners. Nothing has been recovered from the conscious possession of these petitioners. There is no consistent material evidence against the petitioners and only on the basis of suspicion, they have been roped in the present case. Petitioners have got no criminal antecedent as stated in para-3 of the bail petition. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 01.08.2023 passed in Cr. Misc. No. 33024 of 2023. They are languishing in judicial custody since 03.02.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and



considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Dulhin Bazar P.S. Case No. 112 of 2020.

(Sunil Kumar Panwar, J)

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