

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39756 of 2023**

Arising Out of PS. Case No.-49 Year-2020 Thana- MANSAHI District- Katihar

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LALU YADAV @ LALU KUMAR YADAV Son of Suresh Yadav Resident of
village - Bishanpur, P.s. - Mansahi, Distt. - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gyanand Roy

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

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 07-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 120B/34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per prosecution case, the accused persons including the petitioner are alleged to have killed the wife of the informant by shot fire. The petitioner was seen with the pistol who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is no eye witness of the alleged occurrence. During course of investigation, no any



consistent material has come against the petitioner. It is submitted that during trial, the informant has been examined as PW-5 and he has not supported the prosecution in his deposition which is also evident from Annexure-2. It is also submitted that other co-accused of this case have already been granted bail. The petitioner has got no criminal antecedent as stated in para-3 of the bail petitioner. Moreover, he is languishing in judicial custody since 3.9.2021.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period 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 Mansahi P.S. Case No. 49 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II, Katihar.

(Sunil Kumar Panwar, J)

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