

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46494 of 2023

Arising Out of PS. Case No.-199 Year-2021 Thana- MAHARAJGANJ District- Siwan

AKASH KUMAR YADAV Son of Munna Yadav Resident of village -
Ramapali, P.S. - Maharajganj, Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 307, 326, 302, 325, 34
later on added Section 216(A) of the Indian Penal Code and
Section 27 of the Arms Act.

3. As per prosecution case, some unknown person
fired upon the son of the informant leading to his death.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is not named in the FIR and
the same has been lodged against unknown persons. The name
of the petitioner has come into light, on the basis of confessional
statement of co-accused Amit Kumar, which has got no



evidentiary value in the eyes of law. There is no eye-witness and no independent witness of the alleged occurrence. Nothing incriminating articles have been recovered from the conscious possession of the petitioner. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 17.08.2022 passed in Cr. Misc. No. 18519 of 2022. He is languishing in judicial custody since 26.11.2022.

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 petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Maharajganj P.S. Case No. 199 of 2021.

(Sunil Kumar Panwar, J)

arish/-

U			
---	--	--	--

