

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51591 of 2023

Arising Out of PS. Case No.-779 Year-2022 Thana- BRAHMPUR District- Buxar

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AMIT KUMAR @ AMIT YADAV SON OF SRI SUDERSHAN YADAV @
SUDERSHAN SINGH VILLAGE CHAKKI (BHOLA DERA), PS- BRA-
HAMPUR (CHAKKI OP.), DIST- BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Radha Krishna

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 147, 148, 149, 447, 341, 323, 307, 427, 504 of the Indian Penal Code and Section 27 of the Arms Act. Later on, Sections 337, 338 and 302 I.P.C were also added.

It is alleged that all the F.I.R named accused persons including the petitioner armed with deadly weapons came at the door of the informant and started assaulting him. The informant somehow managed to save his life. It is specifically alleged against Raju Yadav that he shot fire at



the informant's side as a result of which Awadhesh Yadav @ Triloki Yadav sustained gunshot injuries and subsequently succumbed to the injuries.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The allegation of firing is against Raju Yadav, Uttam Yadav and Shivji Yadav. No consistent material evidence has come during course of investigation against the petitioner. Similarly situated other accused person has already been enlarged on bail by this Court vide order dated 16.5.2023 passed in Cr. Misc. No. 18414 of 2023. The petitioner is languishing in custody since 21.6.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in



connection with Brahampur (Chakki O.P.) P.S. Case No.
779 of 2022.

(Sunil Kumar Panwar, J)

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