

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53278 of 2023

Arising Out of PS. Case No.-336 Year-2020 Thana- BENIPATTI District- Madhubani

Praveen Kumar Yadav Son Of Jitendra Yadav Village- Narar Goath Ps-
Kaluahi Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Soban Asghar
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-11-2023 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 448, 341, 323, 452, 307 and 34 of the Indian Penal Code and Section 27 of Arms Act.

3. Allegation against unknown miscreants is that they fired upon the informant which hit on his leg and further they assaulted the son of the informant.

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. The petitioner is not named in FIR rather his name came into light in this case on the basis of confessional statement of co-accused, namely, Suman Kumar



Yadav in another case and on that basis petitioner has been dragged in this case. Nothing has been recovered from his conscious possession and also he has not been put on TIP as yet. No any consistent evidence has come against him in this alleged offence. Moreover, he is languishing in judicial custody since 02.07.2021.

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 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 Benipatti P.S. Case No. 336 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 Additional Sessions Judge-3rd, Madhubani on following conditions:-

(i) Petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii) If the petitioner tampers with the evidence or



threatens the witnesses, in that case, the prosecution will be at liberty to move of cancellation of bail.

(Sunil Kumar Panwar, J)

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