

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53878 of 2022

Arising Out of PS. Case No.-93 Year-2022 Thana- PHULPARAS District- Madhubani

Pawan Kumar Yadav Son Of Rampukar Yadav Resident Of Village - Murli,
P.S.- Phulparas, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash
Mr. Ravi Prakash
Mr. Rajesh Kumar

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-01-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 399, 411, 414 of the Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act.

The prosecution case in nutshell is that petitioner along with other co-accused persons were making plan for committing the offence and country made pistol, three live cartridges as well as other articles



were recovered.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is also submitted that petitioner is languishing in judicial custody since 23.02.2022. Nothing incriminating has been recovered from the possession or from the house of the petitioner. Petitioner has no concern either with the seized incriminating articles or with the co-accused persons. It is further submitted that petitioner was coming from his relative's house and on the way merely on the basis of suspicion, he has been arrested by the police. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. It is further submitted that similarly situated co-accused persons have been granted Bail vide order dated 16.12.2022, 23.12.2022 passed in Cr. Misc No. 52172 of 2022, 55331 of 2022 & 53448 of 2022, by the co-ordinate Bench of this Court.



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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Phulparas P.S. Case No. 93 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. II, Jhanjharpur, Madhubani.

(Sunil Kumar Panwar, J)

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