

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57758 of 2023

Arising Out of PS. Case No.-49 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

Deepak Kumar Yadav @ Deepak Yadav S/O Ramakant Yadav R/O Village-
Udaybhanpur, Ps. Barhara (KRISHNAGARH), Dist. Bhojpur At Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-09-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 307 and 34 of the Indian Penal Code and Sections 25(1-b)a, 26, 27 and 35 of Arms Act.

3. As per the prosecution case, four FIR named persons along with four unknown persons opened fire upon the informant and one other person due to they sustained gun shot injuries and later on one Bindhyachal Prasad died on the way to Patna for better treatment.

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 merely on suspicion. 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 person during the course of investigation which has got no evidentiary value in the eye of law. Nothing specific allegation has been levelled against the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated several co-accused persons have already been granted bail by the different co-ordinate Bench of this Court vide Annexure-2 series of this petition. Moreover, the petitioner is languishing in judicial custody since 25.05.2023.

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 Ara Muffasil (Dhobahan) P.S. Case No. 49 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned Chief Judicial
Magistrate, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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