

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58219 of 2023

Arising Out of PS. Case No.-153 Year-2022 Thana- RAJNAGAR District- Madhubani

Kanhaiya Yadav @ Kanhaiya Kumar @ Kanhaiya Kumar Yadav S/O Upendra
Yadav R/O Village- Paliwar, Ward No. 8, Ps. Rajnagar, Dist. Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-09-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Rajnagar P.S. Case No. 153 of 2022 dated 11.06.2022 registered for the offences punishable under Sections 341, 323 and 307 read with 34 of the Indian Penal Code and Section 27 of the Arms Act.

4. As per the prosecution case, on 10.06.2022 at 4:00 PM, while the informant was going to his field, the FIR named accused persons, armed with carbine, sixer and *katta* boarded on



two motorcycles came in front of the informant and fired on him, on account of which informant sustained multiple firearms injuries.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Abhishek Mishra. The other co-accused person has already been granted bail by the Co-ordinate Bench *vide* order dated 06.07.2023 passed in Cr. Misc. No. 10897 of 2023. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 26.05.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhubani in connection with Rajnagar P.S. Case



No. 153 of 2022.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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