

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58451 of 2023

Arising Out of PS. Case No.-567 Year-2022 Thana- TRIVENIGANJ District- Supaul

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INDRESH YADAV @ INDRESH KUMAR YADAV son of Sachitanand
Yadav Village- Laharnia Ps- Triveniganj Dist- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Md. Mushtaque Alam

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-10-2023 Heard learned counsel for the petitioner, informant
and learned APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 148, 149, 447, 326,
307, 323, 341, 324, 379 of the Indian Penal Code and Section 27
of the Arms Act and later on added Section 302 of the IPC.

3. The allegation against the petitioner along with
others is of firing upon the cousin brothers of the informant due
to which they sustained injury. It is further alleged that during
course of treatment the informant's cousin namely, Satendra
Yadav died.



4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. There is a major contradiction is that according to prosecution case, the allegation against the petitioner and other co-accused is of firing three bullets on the head of the deceased namely, Satendra Yadav but from the perusal of the Postmortem report, it appears that the death was caused by hard and blunt substance, which does not support the prosecution case. He further submitted that the doctor has not been stated that the injury sustained upon the deceased is caused by the fire-arms. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 17.01.2023.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as the period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-



1st, Supaul in connection with Triveniganj P.S. Case No. 567 of
2022.

(Sunil Kumar Panwar, J)

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