

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59219 of 2023

Arising Out of PS. Case No.-27 Year-2021 Thana- BARHARA KOTHI District- Purnia

1. Kundan Yadav @ Kundan Kumar Yadav S/O Kumod Yadav R/O Mouzampatti @ Mauzampatti, Bela Paemu, P.S- Barhara Kothi (Raghubansh Nagar O.P.), Distt.- Purnia.
2. Md. Kallo Miyan @ Md. Kalim S/O Md. Suleman @ Md. Tahir R/O Mouzampatti @ Mauzampatti, Bela Paemu, P.S- Barhara Kothi (Raghubansh Nagar O.P.), Distt.- Purnia.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajnish Kumar Singh

For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-09-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek regular bail in connection with Barhara (Raghuwansh Nagar OP) P.S. Case No. 27 of 2021 registered for the offence under Sections 302, 436, 379, 506, 427/34 of the Indian Penal Code.

3. As per prosecution case, the petitioners along with others are alleged to have burnt the staff of the informant/deceased Pappu Singh who was looking after the work of brick kiln of the informant. The alleged occurrence took place in the background of previous long standing enmities.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They



have falsely been implicated in this case. The allegation is very much general and omnibus against the petitioner. During course of investigation, nothing has come against the petitioner which may connect him in any manner with the present occurrence. No one is eye witness of the alleged occurrence. It is further submitted that the petitioners are languishing in judicial custody since 16.3.2023. Moreover, similarly situated co-accused persons have already been granted bail by a co-ordinate Bench of this Court and in support of this Annexure-2 has been annexed with this petition.

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 period, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Barhara (Raghuwansh Nagar OP) P.S. Case No. 27 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea.

(Sunil Kumar Panwar, J)

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