

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59737 of 2023

Arising Out of PS. Case No.-98 Year-2023 Thana- BARH District- Patna

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Arun Yadav S/O Late Birju Yadav R/O Vill - Gowasha Shekhpura, P.S. -
Pandarak, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 19-12-2023 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, 120B and 34 of the Indian Penal Code and Section 27 of Arms Act.

3. Allegation against the petitioner along with other co-accused persons is that they committed murder of the father of the informant and the reason for this as alleged occurrence is said to be previous enmity.

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 due to previous enmity. There is no specific overt act of firing upon the deceased rather the specific allegation of firing upon the deceased is against co-



accused, namely, Bablu Yadav. There is no eye witness of the alleged occurrence. Similarly situated other co-accused persons have already been granted bail by another co-ordinate Benches of this Court vide Anneuxre-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 Barh P.S. Case No. 98 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 ACJM, Barh.

(Sunil Kumar Panwar, J)

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