

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62090 of 2023

Arising Out of PS. Case No.-999 Year-2022 Thana- BIHTA District- Patna

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Tuntun Yadav @ Amrendra Kumar S/O Ram Babu Prasad Yadav @ Ram
Babu Rai @ Ram Babu Yadav Village Chaurasi Ps Maner District Patna

... .. Petitioner/S

Versus

The State Of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma
For the Opposite Party/s : Mr.Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-09-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Bihta P.S. Case No. 999 of 2022 registered under sections 147, 148, 149, 307, 120(B), 160, 379, 216 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case relates to commission of murder of the three persons, namely, Shatrudhan Rai, Lal Dev Rai and Mukesh Rai by indiscriminately firing by the accused persons including this petitioner at the instance of two rivalry groups for earning supremacy on sand mining.

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 and discloser of local chaukidar. It is also submitted that no one has seen the petitioner at the place of occurrence. There is no consistent evidence came against the petitioner which shows that he played an active part in the alleged offence. Nothing incriminating weapon has been recovered from his conscious possession. Similarly situated co-accused has already been granted bail by this Court vide order dated 21.04.2023 passed in Cr. Misc. No. 11470 of 2023. Moreover, he is languishing in judicial custody since 24.04.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Bihta P.S. Case No. 999 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two



sureties of the like amount each to the satisfaction of the
learned concerned Court.

(Sunil Kumar Panwar, J)

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