

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62844 of 2023

Arising Out of PS. Case No.-49 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

Kariya Singh Yadav Son Of Sheo Murat Singh Yadav R/O Udaybhanpur
(UDHAMPUR), Ps- Barhara (KRISHNAGADH), Dist- Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 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, 307 and 34 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 and 27 of Arms Act.

3. Allegation against the co-accused persons including this petitioner is that they fired upon the informant and other party of the informant due to which informant sustained gun shot injury and one Vindhyachal Prasad Gupta also sustained gun shot injury and later on he died during the course of his treatment. The reason behind 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. The petitioner is not named in FIR rather his name came into light in this case on the basis of confessional statement of co-accused Manoj Kumar Yadav before the police which has got no evidentiary value in the eye of law and he has already been granted bail by the co-ordinate Bench of this Court vide order dt. 14.07.2023 in Cr. Misc. No. 41804 of 2023. Nothing consistent material has come against the petitioner to implicate in this alleged offence. Moreover, he is languishing in judicial custody since 03.07.2023.

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 Ara Muffasil (Dhobha O.P.) P.S. Case No. 49 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 Additional Chief



Judicial Magistrate- VII, Bhojpur, Ara.

(Sunil Kumar Panwar, J)

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