

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66207 of 2022

Arising Out of PS. Case No.-329 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

AMIT KUMAR SINGH @ BINDA YADAV @ GOVINDA YADAV Son of
Birbal Singh @ Birbal Yadav R/o village - Nibi, P.S.- Bhagwanpur, District -
Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 302 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, while brother of the informant was returning from his field, the petitioner along with co-accused persons armed with firearms reached there and co-accused Suresh Yadav fired at him from the pistol which hit him due to which he sustained firearm injury and as a result of which he died.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. The allegation against this petitioner is only he was a member of mob rather the specific allegation of shot fire to the deceased is against co-accused namely, Suresh Yadav. Moreover, similarly situated co-accused persons have already been granted bail by a coordinate bench of this court vide order dated 19.9.2019 in Cr. Misc. No. 58136 of 2019. It is further submitted that the petitioner is languishing in judicial custody since 6.9.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bhabhua P.S. Case No. 329 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua.

(Sunil Kumar Panwar, J)

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