

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70964 of 2022

Arising Out of PS. Case No.-45 Year-2022 Thana- BAIKUNTHPUR District- Gopalganj

BHAGWAN KUMAR YADAV @ BHAGWAN RAY S/O BHULAN RAI
R/v- Pakaha, P.S.- Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Prasad
For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 394 and 302 of the
Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the informant received a call
from unknown number that on Rajapati one CSP owner has
been shoted by some unknown persons and looted away his
money. The informant reached hospital and found his brother
Ram Narayan Singh @ Galedu Singh dead.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is not named in the FIR. The
name of the petitioner has come into light, on the basis of



confessional statement of co-accused Arjun Kumar, which has got no evidentiary value in the eyes of law. There is no specific overt act against the petitioner and no eye-witness of the alleged occurrence. Nothing incriminating article has been recovered from the conscious possession of the petitioner. No T.I. Parade has been done. He is languishing in judicial custody since 21.07.2022.

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

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Baikunthpur P.S. Case No. 45 of 2022.

(Sunil Kumar Panwar, J)

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