

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71774 of 2023

Arising Out of PS. Case No.-29 Year-2020 Thana- NIRMALI District- Supaul

Ram Sevak Yadav Son Of Dev Nath Yadav Resident Of Village - Bageba,
Police Station - Andharamath, District - Madhubani, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-11-2023 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 394 and 34 of the Indian Penal Code and Section 27 of Arms Act.

3. Prosecution case in short is that on the point of fire arms stop the informant and out of three one fired from his pistol which hit on his left hand. They took away his bag containing Rs. 3.38 lacs.

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. The petitioner is not named in FIR rather his name came into light in this case during investigation. Nothing has been recovered from the conscious



possession of the petitioner. No any specific allegation has been levelled against the petitioner and also he has not been put on TIP as yet. Similarly situated other co-accused persons have already been granted bail by another co-ordinate Bench of this Court vide order dated 22.02.2022 in Cr. Misc. No 44712 of 2021 and order dated 13.09.2021 in Cr. Misc. No. 11610 of 2021. Moreover, the petitioner is languishing in judicial custody since 20.06.2023.

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 Nirmali P.S. Case No. 29 of 2020 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, Birpur, Supaul.

(Sunil Kumar Panwar, J)

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