

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74518 of 2023

Arising Out of PS. Case No.-167 Year-2023 Thana- VIJAYEPUR District- Gopalganj

Sanjay Yadav S/O Birbal Yadav R/O- Mathiya Lala, P.S.- Vijaipur, District-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepankar Raj

For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-12-2023 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 147, 148, 149, 302, 307, 323, 324, 325, 341, 427, 120B of the Indian Penal Code.

3. Allegation against the petitioner along with other co-accused persons is that they assaulted the brother of the informant and one co-accused, namely, Birbal Yadav stabbed him with a spear in his right side due to which he died.

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. Nothing specific allegation has been levelled against the petitioner rather the specific



allegation of assault upon the informant's brother is against other co-accused person, namely, Amrendra Yadav and Birbal Yadav. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by another co-ordinate Bench of this Court vide order dated 29.11.2023 in Cr. Misc. No. 75738 of 2023. Moreover, the petitioner is languishing in judicial custody since 27.06.2023.

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 Vijayepur P.S. Case No. 167 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 ACJM-XIV, Gopalganj.

(Sunil Kumar Panwar, J)

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