

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70734 of 2022

Arising Out of PS. Case No.-228 Year-2022 Thana- HARLAKHI District- Madhubani

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ROHIT YADAV @ ROHIT KUMAR YADAV S/o Late Pawan Yadav R/v-
Madhiya, P.S.- Basopatti, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah

For the Opposite Party/s : Mr. Ram Sumiran Rai

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-02-2023 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 307/34 of the Indian Penal Code and Sections 25(1-b)a/26/27/35 of the Arms Act.

The prosecution case, in brief, is that while the informant along with his brother were going to home on motorcycle after closing their shop, in the meantime, two miscreants came on motorcycle and one of them fired upon informant's brother due to which he sustained gun shot injury. Thereafter, this case has been registered against unknown.

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



petitioner is not named in FIR rather he has falsely been implicated in this case only on the basis of suspicion. The name of the petitioner has come into light in the present case only on the basis of his self confessional statement which has got no evidentiary value in the eye of law. During investigation, nothing consistent evidence has come against the petitioner. Moreover, the petitioner is languishing in judicial custody since 2.8.2022.

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 Harlakhi P.S. Case No. 228 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Benipatti, (Madhubani).

(Sunil Kumar Panwar, J)

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