

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77220 of 2023

Arising Out of PS. Case No.-289 Year-2022 Thana- KHARIK District- Bhagalpur

1. Pappu Yadav S/O Gajadhar Yadav Residents Of Village- Lattipur, Ps-Bihpur, District- Bhagalpur
2. Sakla @sakaldeo Yadav S/O Late Ramotar Yadav Residents Of Village-Lattipur, Ps-Bihpur, District-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh
For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-12-2023 Heard learned counsel for the petitioners and

learned A.P.P appearing on behalf of the State.

The petitioners are languishing in custody in a case registered for the offences punishable under Sections 307/34 of the Indian Penal Code and Sections 27, 25(1-B) a, 26, 35 of the Arms Act.

It is alleged that nephew of the informant was shot at by the accused persons. The informant apprehended one Chhabil Yadav who confessed the name of the petitioner.



It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioners are not named in the F.I.R nor they were apprehended from the spot and their names subsequently sprang up on the basis of confessional statement of co-accused Chhabil Yadav which has got no evidentiary value in the eye of law. There is no eye witness to the occurrence. The petitioners have got no concern with the alleged occurrence. The petitioners are languishing in custody since 06.07.2023.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioners.

Considering the facts aforesaid and the period under custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Additional



Chief Judicial Magistrate, 1st, Naugachia, Bhagalpur in
connection with Kharik P.S. Case No. 289 of 2022.

(Sunil Kumar Panwar, J)

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