

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2502 of 2023

Arising Out of PS. Case No.-61 Year-2022 Thana- NARAINPUR District- Bhojpur

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FIGHTER @ PRINCE S/o Munna @ Ashok Yadav @ Ashok Kumar Singh
R/v- Bhagwatipur, P.S.- Udwanthnagar, District- Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal Sr. Adv.
	:	Mr. Ranvijay Kr., Mr. Praveen Kumar
For the Opposite Party/s	:	Mr. Jharkhandi Upadhyay

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-04-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 307/34 of the Indian Penal Code and Section 27 of Arms Act.

As per prosecution case, while the informant along with his two friends Ayush Raj Singh and Chitranjan Yadav were returning from Agiaon on a motorcycle, meanwhile, the accused persons on two motorcycles overtook them and co-accused Tiwari Yadav fired upon Ayush Raj Singh due to which he sustained gun shot injury. Thereafter, the Ayush Raj Singh @Sonu Kumar was taken to hospital for treatment, where doctor declared died.



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 has been transpired in this case on the basis of confessional statement of co-accused persons namely, Arvind Yadav @Arjun Yadav and Banty @Akshay before the police, which has got no evidentiary value in the eye of law. Moreover, similarly situated co-accused namely, Himanshu Kumar has already been granted bail by this Court vide order 18.3.2023 passed in Cr. Misc. No. 71564 of 2022. The petitioner has got no criminal antecedent and languishing in judicial custody since 8.9.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

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 Narayanpur P.S. Case No. 61 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 A.C.J.M. Vith, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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