

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7994 of 2024

Arising Out of PS. Case No.-153 Year-2021 Thana- GAYA KOTWALI District- Gaya

1. Bipin Yadav @ Vipin Kumar Nirala SON OF Late Lakhan Yadav @ Ram Lakhan Singh Yadav RESIDENT OF VILLAGE- PAURA, PS- NAWADA (KADIRGANJ OP), DISTT- NAWADA
2. Anirudh Yadav Son Of Late Chano Yadav @ Chandrashekhar Yadav @ Chando Yadav Resident Of Village- Paura, Ps- Nawada (KADIRGANJ Op), Distt- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar
For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-02-2024 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, 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged against the petitioners that they have repeatedly fired gunshots upon the informant and caused him gunshot injuries in his chest and thigh. They also fired upon one Niranjana Kumar who sustained



gunshot injuries on his right hand.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case. During investigation, it came to light that petitioner No. 1 was found present in the school in which he was working on the alleged date and time of occurrence which completely negates the prosecution version. The petitioner No. 1 is alleged to have fired over Niranjana Kumar along with co-accused Sankar Modi who has been granted bail vide order dated 24.06.2023 passed in Cr. Misc. No. 31653 of 2023. During investigation, till date, no independent witness came forward claiming to have seen the petitioners near or at the alleged place of occurrence prior to or after it took place or escaping from there after alleged occurrence. The petitioners are languishing in custody since 21.08.2023.

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 Chief Judicial Magistrate, Gaya in connection with Kotwali P.S. Case No. 153 of 2021.

(Sunil Kumar Panwar, J)

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