

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48230 of 2024

Arising Out of PS. Case No.-117 Year-2022 Thana- ISMAILPUR District- Bhagalpur

Chandan Yadav S/O- Shambhu Yadav R/O of Vill.- Ismailpur, P.S.- Ismailpur,
District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-07-2024 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 302, 120B and 34 of the Indian Penal Code and Section 27 of Arms Act.

3. As per allegation in the F.I.R., co-accused persons committed murder of the informant's brother by making firearm injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Neither the petitioner is named in the F.I.R. nor anything incriminating has been recovered from his conscious possession. He has not been apprehended on the spot. Nothing consistent material has come against the petitioner except so- called confessional statement of



other co-accused Pooja Yadav @ Pujwaa, before the police which has got no evidentiary value in the eye of law. Informant is not the eye witness of the alleged occurrence. Similarly situated several co-accused persons have already been granted bail by this Court. (Annexed as Annexure 2 series) The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 07.05.2024.

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 Ismailpur P.S. Case No. 117 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, 1st Class, Naugachia, Bhagalpur.

(Sunil Kumar Panwar, J)

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