

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49908 of 2024

Arising Out of PS. Case No.-44 Year-2023 Thana- MARAUNA District- Supaul

Chandan Kumar Yadav Son of Ganesh Yadav R/O Vill.- Shishauni, P.S.-
Supaul Nadi Thana, Dist.- Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav

For the Opposite Party/s : Mr. Prem Kumar Jha

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 filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 302/34 of Indian Penal Code and Section 27 of Arms Act.

3. Prosecution case in nutshell is that informant's grandson has gone as a dancer on DJ Trolley of one Dhanjeet Kumar, hired by co-accused Mahesh Prasad Yadav on the occasion of marriage ceremony of his son. It is further alleged that during ceremony, petitioner along with his friends started brandishing gun and fired which hit on the chest of informant's grandson due to which he succumbed to fire arm injuries.

4. It is submitted by learned counsel for the petitioner



that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in F.I.R. nor anything incriminating has been recovered from his conscious possession. There is no overt act of allegation levelled against the petitioner rather the specific allegation of firing is attributed against co-accused Bipin Kumar. The name of petitioner transpired in this case on the confession statement of co-accused Sunil Kumar. Similarly situated other accused person has already been enlarged on bail by this Court vide order dated 14.5.2024 passed in Cr. Misc. No. 6344 of 2024. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 1.2.2024.

5. Learned APP appearing for the State has vehemently opposed the prayer for Bail.

6. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Marauna P.S. Case No. 44 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the



satisfaction of the learned Judicial Magistrate 1st Class, Supaul.

(Sunil Kumar Panwar, J)

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