

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54094 of 2024

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

DILIP YADAV S/O LATE BUCCHI YADAV Resident of Lattipur, P.S-
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. Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-07-2024 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 307/34 of the Indian Penal Code and Sections 27/25(1-b)a, 26/35 of the Arms Act.

3. As per prosecution case, it is alleged that nephew of the informant was shot at by the accused persons. One of the accused Chahabil Yadav was caught by the informant while he was trying to flee.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR. His name transpired in this case on the basis of statement of injured Rajesh Mandal which



was recorded after 16 days of occurrence. No specific overt-act attributed against the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 22.1.2024. Moreover, similarly situated co-accused Chhabil Yadav has already been enlarged on bail by this Court vide order dated 1.8.2023 passed in Cr. Misc. No. 29591 of 2023.

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 Kharik P.S. Case No. 289 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 2nd Additional District and sessions Judge, Naugachia, District- Bhagalpur.

(Sunil Kumar Panwar, J)

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