

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74848 of 2023

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

Priyanshu Raj @ Chhotu Yadav S/O Sri Vishwanath Prasad Village-
Parkonch, Ward No. 12, Ps. Marauna, Dist. Supaul

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrit Abhijat

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

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. However, charge-sheet has been submitted under Section 302, 201, 120(B)/34 of Indian Penal Code and Section 27 of Arms Act.

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 the 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.

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. There is It is also submitted that petitioner is languishing in judicial custody since 08.05.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.



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

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 Sessions Judge, Supaul.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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