

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74040 of 2022

Arising Out of PS. Case No.-119 Year-2022 Thana- SARSI District- Purnia

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Raj Kumar Yadav S/O Nageshwar Yadav R/O Village- Ramsripatti Hirapatti
P.S- Jadia District- Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-03-2023 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 connection with Sarsi P.S. Case No. 119 of 2022 registered under sections 406, 302 and 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the informant has disclosed on the basis of suspicion that her husband was working under the accused persons including this petitioner and under conspiracy they killed her husband by fire arm.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. The



petitioner is not named in F.I.R. rather his name came in this case during investigation on the basis of confessional statement of co-accused, namely, Dharamvir Yadav @ Bablu Yadav before the police. Nothing incriminating article has been recovered from the conscious possession of the petitioner. Nothing cogent material came against the petitioner regarding involvement in the alleged occurrence except confession of the other co-accused. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by the different co-ordinate Bench of this Court vide order dated 08.12.2022 in Cr. Misc. No. 55848 of 2022. The petitioner is languishing in judicial custody since 14.10.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sarsi P.S. Case No. 119 of 2022 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 C.J.M. Purnia.

(Sunil Kumar Panwar, J)

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