

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76868 of 2023

Arising Out of PS. Case No.-322 Year-2023 Thana- PHULPARAS District- Madhubani

PRAMOD YADAV Son of Nasib Lal Yadav R/o vill - Navtol, P.S. -
Phulparas, Distt. - Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-02-2024 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 302/120(B) of the Indian Penal Code and Section 27 of Arms Act.

3. As per prosecution case, allegation against the petitioner along with others is to commit murder of the informant's brother by shot fire.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The informant is not an eye witness to the alleged occurrence. It is also submitted vide para 15 of the petition that ten days prior to the alleged occurrence, the deceased was coming from judicial custody in murder of Bhuljar and the informant only raised suspicion against him due



to previous enmity with the family of Bhuljar and implicated him in the present case. Except suspicion, no any consistent material has brought on record against the petitioner. During investigation, other witnesses have only supported the *factum* of the case but not stated a single word regarding involvement of the petitioner in the alleged offence. The petitioner has got no criminal antecedent as stated in pare-3 of the bail petition and he is languishing in judicial custody since 12.7.2023.

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 period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Phulparas P.S. Case No. 322 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-II, Jhanjharpur, Madhubani.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

