

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78439 of 2023

Arising Out of PS. Case No.-200 Year-2021 Thana- MAHARAJGANJ District- Siwan

AKASH KUMAR YADAV SON OF MUNNA YADAV RESIDENT OF VIL-
LAGE- RAMAPALI, PS- MAHARAJGANJ, DISTT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bijay Prakash Singh
For the Opposite Party/s	:	Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 120B of the Indian Penal Code and Section 27 of the Arms Act.

As per FIR, the petitioner along with other accused persons committed murder of the informant's husband, because she earlier filed a case under Section 307 of the I.P.C. against the accused persons and they were pressuring to compromise the case but when she did not compromise the case, they killed her husband.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR rather his name has been dragged in this case merely on the basis of confessional



statement of co-accused namely, Samrat Kumar Singh. The informant is not an eye witness of the alleged occurrence and there is no specific allegation levelled against the petitioner. Similarly situated co-accused who also confessed name of this petitioner has already been granted bail by a coordinate Bench of this Court vide order dated 10.03.2022 passed in Cr. Misc. No. 72 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 26.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

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 Maharajganj P.S. Case No. 200 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge Siwan.

(Sunil Kumar Panwar, J)

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