

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82954 of 2023

Arising Out of PS. Case No.-119 Year-2019 Thana- CHANAN District- Lakhisarai

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GOPAL YADAV S/O MASUDAN YADAV VILLAGE- MAHULIYA, PS.
CHANAN, DIST. LAKHISARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Prasad

For the Opposite Party/s : Mr.Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 19-03-2024 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 302/34 of the Indian Penal Code, sections 17, 18, 20, 30 of the UAP Act and Section 27 of Arms Act.

3. As per prosecution case, co-accused Rana Singh along with others miscreants is alleged to have made indiscriminate fire upon the brother of the informant due to which he succumbed to injury.

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 has been transpired on the basis of confessional statement of FIR named accused



Rana Kumar Singh, before police which has got no evidentiary value in the eye of law. Except confession of co-accused, no any consistent evidence has come against the petitioner during investigation. The petitioner is languishing in judicial custody since 16.8.2023. Moreover, co-accused Rana Kumar Singh has already been enlarged on bail granted by a co-ordinate Bench of this Court vide order dt. 21.12.2020 passed in Cr. Misc. No. 22632 of 2020.

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 Chanan P.S. Case No. 119 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st Lakhisarai.

(Sunil Kumar Panwar, J)

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