

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79995 of 2023

Arising Out of PS. Case No.-170 Year-2023 Thana- SHAMBHUGANJ District- Banka

CHHOTU YADAV S/O DAMODAR YADAV R/O VILLAGE- KARSAP,
P.S- SHAMBHUGANJ, DISTT.- BANKA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

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

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.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 379, 307, 302, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, the informant alleged that petitioners along with co-accused persons surrounded him and in the meantime, co-accused Badal Kumar Yadav fired due to which he sustained injury and admitted in hospital. During treatment, the informant succumbed to injury. The only allegation against this petitioner is to assault the informant by iron rod.

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. From perusal of FIR, it appears that the specific allegation is against co-accused Badal Kumar who fired upon the informant due to which he sustained gunshot injury and thereafter he died. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 8.7.2023.

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 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 Shambhuganj P.S. Case No. 170 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 Chief Judicial Magistrate, Banka.

(Sunil Kumar Panwar, J)

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