

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3794 of 2024

Arising Out of PS. Case No.-53 Year-2023 Thana- SAHARSA SADAR District- Saharsa

Abhinandan Kumar Son Of Late Narayan Yadav @ Jaynarayan Yadav R/O
Moh.- Refugee Colony Ward No.5, P.S. And Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha
For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 307, 326, 120B of the
IPC and subsequently added u/s 302 of the IPC and Sections
25(1-B)a, 26, 27 and 35 of the Arms Act.

3. As per prosecution case, two unknown miscreants
fired upon the son of the informant leading to his death.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has



committed no offence. Petitioner is not named in the FIR and the same has been lodged against unknown persons. He submitted that during investigation, on the basis of CCTV footage two persons have been identified as co-accused Raghu Kumar and Prince Kumar, this fact has come under the vide para-91 of the case diary. The petitioner has been implicated in the present case only on the basis of confessional statement of co-accused Raghu Kumar, which has no evidentiary value in the eyes of law. There is no consistent evidence and no eye-witness of the occurrence to show that the petitioner has involved in the said crime. Moreover, the other co-accused has already been granted bail by this Bench vide order dated 17.10.2023 passed in Cr. Misc. No. 59993 of 2023. He is languishing in judicial custody since 17.02.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate, Saharsa in
connection with Saharsa Sadar P.S. Case No. 53 of 2023.

(Sunil Kumar Panwar, J)

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