

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3829 of 2024

Arising Out of PS. Case No.-266 Year-2023 Thana- CHANDI District- Bhojpur

Bihari Yadav @ Brij Bihari Rai @ Brij Bihari Yadav Son Of Dhanraj Rai
Resident Of Village - Khangaon, P.S. - Chandi, District – Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar

For the State : Mr. Gauri Shankar Gupta

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 147, 148, 149, 341, 307 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per FIR, it is a case of firing by the petitioner along with other co-accused persons due to which, the informant sustained injury.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to old dispute. He has committed no offence. Petitioner is not named in the FIR. The name of the petitioner has come into light on the basis of confessional statement of co-accused persons. There is



general and omnibus allegation against the petitioner and no specific overt act against him. Petitioner has no any concern with the alleged *balu ghat* and he was never engaged in any of such business and no incriminating article has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 22.10.2023.

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 J.M.F.C., Bhojpur at Ara/Court concerned in connection with Chandi P.S. Case No. 266 of 2023.

(Sunil Kumar Panwar, J)

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