

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82844 of 2024

Arising Out of PS. Case No.-420 Year-2024 Thana- DIGHA District- Patna

Madusudan Prasad @ Sanjay Yadav S/O Ramswarath Rai Resident of village
- Ramjichak Yadav, Gali, P.S- Digha, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 17-02-2025 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 61, 103, 109 of the Bharatiya Nyaya Sanhita and Sections 25(1-b)a, 26, 27, 35 of the Arms Act.

3. The case of the prosecution is that Birendra alias Billa and Manu Rai made fire on the vehicle in which the brother-in-law of the informant and the driver Vikash Kumar were traveling. It is further alleged that the fire was made indiscriminately and certain accused persons were firing from a



distant range. Due to the above firing, the driver succumbed to the injuries whereas the brother-in-law of the informant namely, Raju Rai was admitted in ICU.

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 the FIR, it is clear that the name of this petitioner is not there in FIR, his name has surfaced on suspicion. During investigation, it has been found that the location of the mobile of the petitioner was of the same place i.e., the place of occurrence. It has also come that he has made *Whatsapp* call with co-accused namely, Babla and Birendra, except this there is nothing against the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 04.08.2024.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Digha P.S. Case No. 420 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of learned A.C.J.M., XIII, Patna.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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