

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7387 of 2019

Arising Out of PS. Case No.-793 Year-2018 Thana- BIHTA District- Patna

Upendra Kumar Son of Late Ram Chandar Rai R/o village- Mustafapur,
Jaganlia Tola, P.S- Bihta, Dist-Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Helal Ahmad
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-02-2019 Heard the learned counsel for the petitioner and the
learned counsel for the State.

The petitioner seeks regular bail in connection with Bihta PS case no. 793 of 2018 registered for the offence punishable under Section 302 and other sections of Indian Penal Code.

The allegation is regarding the accused persons having entered the house of the informant and assaulted the prosecution side whereafter gun-shot firing was made by Awadhesh Kumar and Manu Kumar resulting in injuries to the prosecution side.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and infact, no specific allegation of overt act has been alleged as



against the petitioner herein. It is further submitted that the similarly situated co-accused person has already been granted bail by a co-ordinate Bench of this Court vide order dated 13.12.2018 passed in Cr. Misc. no. 78251 of 2018. The petitioner is said to be having clean antecedent and he is languishing in custody since 01.10.2018.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the abovenamed petitioner is directed to be enlarged on regular bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-1st, Danapur in connection with Bihta PS case no. 793 of 2018.

(Mohit Kumar Shah, J)

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