

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3503 of 2020

Arising Out of PS. Case No.-85 Year-2019 Thana- BARGAINIA District- Sitamarhi

AYUSH KUMAR @ ABHISHEK SINGH @ AYUSH @ ABHISHEK
KUMAR S/o Saroj Singh R/o Basantpur, P.S.- Bajpatti, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Adv.

For the Opposite Party/s : Mr. Rabindra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

9 29-11-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 394 of the Indian Penal Code and 27 of the Arms Act

As per the prosecution case, two accused persons on a motorcycle overtook the informant and his brother and on the point of pistol looted the informant of his belongings and Rs. 2,93,000/ in cash. It is further stated that on the informant's brother making an attempt to escape one of the accused fired on him resulting in gunshot injuries. He died in course of treatment.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against two unknown. The name of the petitioner transpired in course of investigation only on the basis of the CDR of the mobile phones. The petitioner has not



been put on T.I. parade. No incriminating article has been recovered from his possession. The petitioner is in custody since 26.6.2019 and his case stands on a similar footing to that of coaccused Satyendra Thakur who has been enlarged on bail vide order dated 26.10.2021 passed in Cr. Misc. no.63138 of 2019.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the period in custody, the Court directs the petitioner to be enlarged on bail in connection with Bairgania P.S. Case no. 85 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi.

(Partha Sarthy, J)

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