

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21503 of 2021

Arising Out of PS. Case No.-287 Year-2020 Thana- SAHPUR District- Patna

1. RAKESH KUMAR @ KARIYA Son of Jagdish Rai Resident of Village-Shivala Par, P.S.- Shahpur, District- Patna.
2. Subhash Yadav @ Laddu Kumar Son of Jagdish Rai Resident of Village-Shivala Par, P.S.- Shahpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shankar Kumar, Adv.
For the Informant	:	Mr.Phulen Yadav, Adv.
For the State	:	Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-10-2021 Heard the parties.

The petitioners seek bail in connection with Shahpur P.S. Case No.287 of 2020, registered for the offence punishable under Sections 302 and 34 IPC, 1860 and section 27 of the Arms Act.

The prosecution case in short is that while the informant's father was standing near a shop, some unknown person shot him and fled away. When the injured was brought to hospital, he was declared dead.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and has not committed any offence as alleged in the FIR. They are not named in the FIR, the FIR was lodged against unknown but their names transpired in this case on the basis of confessional statement of co-accused. They have been



falsely implicated in this case by conspiracy and due to village politics. Entire allegation against the petitioners is false, fabricated and concocted one. Petitioners have nothing to do with the co-accused or with the alleged crime. There is no eye-witness in the present case and only on mere suspicion, petitioners made accused. The petitioners have two criminal antecedent and have been languishing in custody since 22.09.2020.

Learned APP for the State as well as learned counsel for the Informant opposed the prayer for bail by submitting that the petitioners are the master mind of the occurrence and they have given Rs.One Lac to the co-accused Monu Kumar @ Monu Sarkar to kill the deceased.

Considering the facts and circumstances of this case, I find that there is no specific overt act against the petitioners, as such, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Danapur, Patna, in connection with Shahpur P.S. Case No.287 of 2020.

(Anjani Kumar Sharan, J)

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