

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39813 of 2020

Arising Out of PS. Case No.-135 Year-2020 Thana- GAMAHARIYA District- Madhepura

Suraj Kumar S/O Late Suresh Das, aged about 24 years, Gender – Male, R/o Village- Sattu Gali Gauripur (Singheshwar), Ward No. 2, P.S.- Singheswar, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Krishna Prasad Singh, Senior Advocate Mr.Bhaskar Shankar, Advocate
For the State	:	Mr.Humayou Ahmad Khan, A.P.P.
For the Informant	:	Mr.Apurv Harsh, Advocate Mr.Manu Tripurari, Advocate Mr.Sujit Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-03-2021 Heard Mr. Krishna Prasad Singh, learned senior advocate assisted by Mr. Bhaskar Shankar, learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

The petitioner seeks bail in connection with Gamharia P.S. Case No. 135 of 2020 registered for the offence punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the F.I.R., the prosecution story in brief is that on 11.08.2020 at about 7:30 P.M., the informant's father Ashok Kumar went to see Mela and in the course of returning from there, he stopped at a Paan Shop. There are some unknown



criminals fired bullet over him and the informant's father fell down after receiving bullet injury. The criminals then fled away in the dark. While the informant was carrying his father to Supaul for his treatment but he died on way.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. On the basis of confessional statement of co-accused, the petitioner has been made accused in the present case. Petitioner is in jail custody since 17.08.2020.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of Mrs. Surabhi Srivastava, learned J.M.-Ist Class, Madhepura in connection with Gamharia P.S. Case No. 135 of 2020.

(Anjani Kumar Sharan, J)

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