

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26597 of 2021

Arising Out of PS. Case No.-239 Year-2019 Thana- GORAUL District- Vaishali

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BIRU BHAGAT Son of Mahendra Bhagat Resident of Village- Chak
Mojahid, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 03-01-2022 Heard learned counsel for the parties.

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

As per the prosecution case, it is stated by the informant that three accused persons tried to loot the aunt (chachi) of the informant on the point of pistol. On the shot fired by one of them, a small child sustained injury in her leg. The accused were on a black motorcycle.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. The name of the petitioner transpired on the basis of the alleged confessional statement of the petitioner recorded in connection with another case i.e. Sarai P.S. Case no. 268 of 2019. No incriminating



material has transpired in course of investigation to connect the petitioner with the alleged crime. The petitioner is in custody since 2.5.2020 and has been falsely implicated in the case because of his antecedents.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of investigation and the petitioner having remained in custody for 1 year 8 months, the Court directs the petitioner to be enlarged on bail in connection with Goraul P.S. Case no. 239 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 1st Additional Chief Judicial Magistrate, Vaishali at Hajipur.

(Partha Sarthy, J)

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