

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41285 of 2021**

Arising Out of PS. Case No.-28 Year-2020 Thana- KUNDWACHAINPUR District- East
Champaran

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Suresh Mukhiya Son Of Nagendra Mukhiya Resident of Village - Kharua,
P.S.- Kundwa Chainpur, Distt.- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate Ms. Rashmi Jha, Advocate Mr. Sharad Kumar Verma, Advocate
For the Opposite Party/s :		Mr. Ram Anurag Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 06-01-2022 This application has been taken up for online hearing
through video conference because of COVID-19 pandemic
restrictions.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for regular bail arises out of
Kundwa Chainpur P.S. Case No. 28 of 2020, disclosing offence
punishable under Sections 341, 307, 504, 34 of the Indian Penal
Code and 27 of Arms Act.

Learned counsel for the petitioner states that the
petitioner is in custody since 16.4.2021. He contends that even
if the case of the prosecution is treated to be correct, the



allegation is against the co-accused, who is said to have opened fire, allegedly at the instance of the petitioner. The petitioner can, at the maximum, be said to be the order giver.

Considering the fact that there is no specific allegation of assault against this petitioner in the F.I.R. and that he has remained in custody since 16.04.2021, this application is allowed.

Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand), with two sureties of the like amount, each to the satisfaction of learned A.C.J.M.-I, Sikaharna, Dhaka, East Champaran in Kundwa Chainpur P.S. Case No. 28 of 2020.

(Chakradhari Sharan Singh, J)

K.K.RAO/-

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