

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46220 of 2021

Arising Out of PS. Case No.-45 Year-2021 Thana- SUPAUL District- Supaul

PRAMOD KUMAR S/o SHRI SITARAM SAH R/o DAKHIGHAT, WARD
NO.5, NAGAR PARISHAD, P.S. AND DISTRICT-SUPAUL.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-02-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 394 and 34 of the Indian Penal Code and section 27 of the Arms Act to which sections 395 and 412 of the Indian Penal Code were added subsequently.

As per the prosecution case, while the informant along with others were coming on a motorcycle, three accused persons on a motorcycle on the point of pistol started to rob the informant and others. On another vehicle reaching the place of occurrence and one of the informant's friend raising hulla for help, it is stated that one of the accused persons fired as a result of which the informant's friend sustained gun shot injuries and on being taken to the hospital was declared dead.

It is submitted by learned counsel for the petitioner that the FIR was registered against three unknown. The name of the petitioner transpired in course of investigation when allegedly he was found using one of the stolen mobile phones. It



is submitted that in course of investigation it has come that the said mobile phone was purchased by the petitioner from Md. Firoz. The said Md. Firoz accepted to have given effect to the occurrence. It is further submitted that even accepting the confessional statement of co-accused Md. Firoz it was co-accused Vicky Yadav who was the assailant of the deceased and not the petitioner herein. The petitioner is in custody since 5.7.2021 and charge sheet has been submitted in the case. The petitioner has no criminal antecedent.

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 investigation in the case having concluded, the Court directs the petitioner to be enlarged on bail in connection with Supaul P.S. Case no. 45 of 2021 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, Suapul.

(Partha Sarthy, J)

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