

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50195 of 2021

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

NAVIN KUMAR S/O NARESH SAH R/o Mohalla- Ward No. 4, Town, P.S.
and District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Adv.

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 29-03-2022 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 section 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, it is stated that three accused persons on a motorcycle on the point of pistol started to rob them. 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 gunshot injuries and on being taken to the hospital he was declared dead.

It is submitted by learned counsel for the petitioner



that the F.I.R. was registered against three unknown. The name of the petitioner transpired in the confessional statement of co-accused Md. Firoz made before police. Even as per the said confessional statement, it is the accused Vicky Yadav who is the assailant of the deceased and not the petitioner herein. No incriminating article has been recovered from the petitioner's possession who has not been put on T.I. parade inspite of being in custody since 5.4.2021. Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner not having been put on T.I. parade and investigation in the case having concluded together with grant of bail to co-accused Pramod Kumar vide order dated 21.2.2022 passed in Cr. Misc. no.46220 of 2021, the Court directs the petitioner to be enlarged on bail in connection with Supaul P.S. Case no.45 of 2021/G.R. no.120 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, Supaul.

(Partha Sarthy, J)

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