

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51734 of 2021

Arising Out of PS. Case No.-19 Year-2020 Thana- BHARGAMA District- Araria

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GANESH MUKHIYA @ GANESH MUKHIA Son of Ganga Mukhiya
Resident of Village- Rajpur Gorihari, P.S.- Pipra Bazar, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307, 324, 326, 341 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, 7 to 8 accused persons started to escape while the police personnel were firing upon them. The shot fired by one of the accused hit the informant in his stomach. The informant further states that it was the accused Sunil Yadav who had shot him

It is submitted by learned counsel for the petitioner that the FIR was registered against Sunil Yadav and 7 to 8 unknown accused persons. The name of the petitioner transpired in course of investigation when he was identified on the basis of



photograph. The allegations against the petitioner are general and omnibus in nature. The petitioner is in custody since 11.2.2020 and investigation in the case has concluded.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration that the main allegation in the FIR is against Sunil Yadav and not the petitioner herein together with the petitioner having remained in custody for 2 years, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no. 161 of 2020 (arising out of Bhargama P.S. Case no. 19 of 2020) 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 Sessions Judge, Araria.

(Partha Sarthy, J)

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