

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57604 of 2021

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

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KRISHNA KUMAR Son of Raman Kumar Resident of Sukmarpur, Ward No. 03, Supaul, P.S. and District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 62524 of 2021

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

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MANISH CHOUDHARY Son of Ashok Choudhary Resident of Village- Supaul, Bidyapuri, Ward No.2, P.S. and District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 57604 of 2021)

For the Petitioner/s : Mr. Arun, Adv.

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 62524 of 2021)

For the Petitioner/s : Mr. Bhim Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-05-2022

Heard learned counsel for the parties.

The petitioners have 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 Arms Act to which sections 395 and 412 of the Indian Penal Code was added subsequently.



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

It is submitted by learned counsel for the petitioners that the FIR was registered against three unknown. Name of both the petitioners transpired in course of investigation in the confessional statement of coaccused Md. Firoz. No incriminating article has been recovered from the petitioners' possession who are in custody since 5.4.2021. Coaccused Pramod Kumar has been enlarged on bail vide order dated 21.2.2022 passed in Cr.Misc. no.46220 of 2021.

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 material that has transpired in course of investigation, grant of bail to the aforesaid coaccused Pramod Kumar together with the petitioners having remained in custody for over 1 year, the Court directs both the petitioners to be enlarged on bail in connection with Supaul P.S. Case



no. 45 of 2021 on each of them furnishing bail bond of Rs.10,000/
(Rupees Ten Thousand) with two sureties of the like amount each to
the satisfaction of the learned C.J.M., Supaul.

(Partha Sarthy, J)

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