

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48010 of 2022

Arising Out of PS. Case No.-149 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

Mashum Kumar @ Mashum Singh S/o Digvijay Singh Resident of Village-
Bhathahi, P.O. Jandaha, P.S.- Jandaha, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 49059 of 2022

Arising Out of PS. Case No.-149 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

Raja Kumar @ Dipak S/o Bimal Singh R/V- Harpur Mukund, P.S- Rajapakar,
Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 48010 of 2022)

For the Petitioner/s : Mr. Sanjay Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Pushpa Sinha, APP

(In CRIMINAL MISCELLANEOUS No. 49059 of 2022)

For the Petitioner/s : Mr. Siddharth Aditya, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioners and learned
A.P.Ps. for the State through virtual mode.

The petitioners seek regular bail in connection with
Hajipur Sadar P.S. Case No. 149 of 2022 lodged under Sections

394 & 302 of the I.P.C. read with Section 27 of the Arms Act.

As per the prosecution case, the informant's father informed the informant's mother on phone that he was returning to home after taking sweets. After sometime, informant's mother tried to contact him but his mobile was found switched off. It has been alleged that on the social media, the informant has seen the photo of his father and then come to know that some miscreants shot his father dead. Then informant reached near the hospital and saw 2 gun shots injury on the chest of his father.

Learned counsel for the petitioners submit that petitioners are innocent and have falsely been implicated in the said case. There is one name in the F.I.R. and the name of petitioners have figured in this case by the confessional statement of one co-accused Raja Kumar. Counsel submits that T.I.P. has not been conducted by the prosecution. He submits that the charge sheet has already been filed in this case. Counsel submits that the antecedent of the petitioner's are clean and they are in custody since 29.03.2022 and 12.03.2022 respectively. Counsel for the petitioners also submit that Co-ordinate Bench of this Court has granted bail to one co-accused Raushan Kumar vide order dated 08.12.2022 passed in Cr. Misc. No. 48398 of 2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of these cases and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 149 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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