

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61312 of 2021

Arising Out of PS. Case No.-579 Year-2020 Thana- AHYAPUR District- Muzaffarpur

HIMANSHU SHEKHAR @ AYUSHMAN KUMAR S/O ARVIND KUMAR
SINGH R/o village- Pantoka Patni, P.S.- Ramgadhwa, District- East
Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Nath Jha, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-04-2022 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 394 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, three miscreants on the gun point snatched informant's motorcycle and mobile phone, while one of them fired on the informant causing fire arms injury near his chest. He was apprehended and disclosed his name as Tullu Kumar.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case and the allegation of firing is against the said co-accused. Petitioner's name has figured during course of investigation in confessional statement of co-accused Tullu Kumar. No



incriminating material has been recovered from the conscious possession of the petitioner. Test Identification Parade has not been carried out till date. He is in custody since 25.2.2021. Charge sheet has already been submitted.

Considering the aforesaid facts and circumstances of the case and the fact that save and except confessional statement of co-accused, no substantive evidence has been collected during course of investigation to suggest the implication of this petitioner in the present case, prayer for bail of the petitioner is allowed. Let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class, Muzaffarpur in Ahiyapur Police Station Case No. 579 of 2020/GR No. 2805 of 2020.

(Prabhat Kumar Singh, J)

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