

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2181 of 2022

Arising Out of PS. Case No.-109 Year-2020 Thana- NAUGACHIA District- Bhagalpur

HARSH SINGH RAJPUT @ HARSH KUMAR Son of Mrityunjay Singh
Rajput Resident of Mohalla- Rajendra Colony, P.S.- Naugachia, District-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Addl Public Prosecutor
For the Opposite Party/s : Mr. PK Pandey, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-07-2022 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of pre-arrest bail in
Naugachiya P.S. Case No. 109/2020 registered for the offence
punishable under Sections 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

As per the prosecution case, son of the informant was
called by accused persons and when his son reached Rajendra
Colony, other accused persons fired upon him as a result of
which he died.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case only on the basis of suspicion. Informant is not the eye
witness of the occurrence. Police after investigation did not



chargesheet the petitioner. However, Court below differing with the same, took cognizance of the offence against the petitioner. Petitioner has got no criminal antecedent.

Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner mentioned 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 the Additional Chief Judicial Magistrate I, Naugachia, Bhagalpur in Naugachia Police Station Case No. 109 of 2020, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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