

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4190 of 2023

Arising Out of PS. Case No.-74 Year-2022 Thana- MANSURCHAK District- Begusarai

Nikhil Kumar @ Nikhil Singh @ Jagmohan @ Jagmohan Singh S/O Late
Dhiro Singh @ Dhirendra Prasad Singh R/V- Samsa, P.S.- Mansoorchak,
District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh

For the Opposite Party/s : Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 380, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the accusation against the petitioner along with co-accused is of committing robbery from the house of informant and during course of this incident, co-accused Abhinav Singh fired upon informant's husband due to which he received gun shot injury and shot dead.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. The specific overt-act is against co-accused namely, Abhinav Singh who fired upon the husband of the informant due to which he died. The allegation against this petitioner is only that he was present at the place of occurrence at the time of offence. During investigation, no any consistent evidence has come against the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 17.8.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mansoorchak P.S. Case No. 74 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai.

(Sunil Kumar Panwar, J)

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