

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5266 of 2023

Arising Out of PS. Case No.-372 Year-2022 Thana- BYPASS District- Patna

GANESH KUMAR Son of Late Ram Babu Sahani Resident of Sadikpur
Machhua Toli, P.S.- Aamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 302/ 34 of the Indian
Penal Code and Section 27 of the Arms Act.

As per prosecution case, while the informant's brother
and one Chandan Kumar were standing near Shitla Mandir
Road, Roopwati Community Hall, after parking his Scooty,
some criminals attacked and fired upon the brother of the
informant, which hit on his cheek and when Chandan Kumar
intervened, criminals also fired upon him, which hit on his head.
It is further alleged that informant's brother and Chandan
Kumar succumbed to gun shot injuries.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case due to dirty village politics. He has committed no offence. Petitioner is not named in the FIR. The name of the petitioner has come into light, on the basis of confessional statement of co-accused Sanjay Kumar Keshari @ Chiku, which has got no evidentiary value in the eyes of law. Nothing incriminating article has recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 10.09.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Patna City, Patna in connection with Bypass P.S. Case No. 372 of 2022.

(Sunil Kumar Panwar, J)

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