

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12303 of 2023

Arising Out of PS. Case No.-191 Year-2022 Thana- SULTANGANJ District- Patna

SUNIL KUMAR @ BAHACHABBA @ BACHABBA @ BACHAPPA Son
of Late Rambabu Sahani R/o Mohammadpur, Behind of Gautam Buddh
School, P.s- Sultanganj Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Advocate
		Mr.Md. Najmul Hodda, Advocate
For the Opposite Party/s	:	Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-05-2023 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 341,
302, 34, 120B of the Indian Penal Code and Section 27 of
the Arms Act.

As per FIR, the allegation against the petitioner
along with co-accused persons is that they fired upon the
son of the informant due to which his son sustained gun
shot injury and during treatment, he died.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. The petitioner is merely an order giver of alleged occurrence due to which he has falsely been implicated in this case. The informant is not an eye witness of the alleged occurrence and there is no specific allegation of shot firing attributed against the petitioner rather general and omnibus allegation attributed against him. The petitioner was not apprehended on the spot nor any incriminating article has been recovered from his conscious possession. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 23.06.2022.

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 Sultangaj P.S. Case No. 191 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 S.D.J.M., Patna
City, Patna.

(Sunil Kumar Panwar, J)

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