

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6318 of 2023**

Arising Out of PS. Case No.-438 Year-2022 Thana- BARAUNI District- Begusarai

RISHU KUMAR S/o Amit Kumar Rai R/o - Narepur Dharampur, P.S.-  
Bachhwara, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Murlidhar Mishra

For the Opposite Party/s : Mr.Choubey Jawahar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      19-06-2023                      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 307, 120B and 34 of  
the Indian Penal Code and Sections 25(1-b)a, 26, 35 added  
Section 27 of the Arms Act.

The allegation against the petitioner along with others  
is of firing upon the public due to which, the informant  
sustained gun shot injury on his right leg of the knee.

It is submitted by learned counsel for the petitioner  
that petitioner has been falsely implicated in this case. He has  
committed no offence. Petitioner is not named in the FIR and  
the same has been lodged against unknown persons. The name  
of the petitioner has come into light on the basis of confessional  
statement of co-accused Yuvraj Singh @ Monu, which has got



no evidentiary value in the eyes of law. Nothing incriminating article has recovered from the conscious possession of the petitioner. He further submitted that the others co-accused namely, Sumit Kumar and Raunak Kumar @ Fuchfuchiya have already been granted bail by a Co-ordinate Bench vide order dated 22.05.2023/24.05.2023 passed in Cr. Misc. No. 21333 of 2023/ 25859 of 2023. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 20.10.2022.

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 Chief Judicial Magistrate, Begusarai in connection with Barauni P.S. Case No. 438 of 2022.

**(Sunil Kumar Panwar, J)**

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