

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7602 of 2023

Arising Out of PS. Case No.-124 Year-2022 Thana- SHYAMPUR BHATHA District-
Sheohar

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Niraj Singh Son Of Bipin Singh R/V- Ramvan, P.S- Shyampur Bhataha Dist -
Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Nachiketa Jha

For the Opposite Party/s : Mr.Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Shyampur Bhataha P.S. Case No. 124 of 2022 registered under sections 302 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution story is that when the informant with his brother (deceased) were on a morning walk, after sometime, several accused persons came there and one of them opened indiscriminate firing upon the brother of the informant due to which he fell down. Thereafter, informant's brother was taken to SKMCH, Muzaffarpur, where he was declared 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 due to village politics at the instance of his village enemy.. It is further submitted that the petitioner is not named in F.I.R. rather his name came into light in this case on the basis of his self confessional statement before the police which has got no evidentiary value in the eye of law. There is no specific overt act of opening fire has been attributed against the petitioner rather the same has been attributed against other co-accused persons namely, Nitesh Kumar and Amit Kumar. Nothing cogent material came against the petitioner to implicate in this alleged offence. Moreover, he is languishing in judicial custody since 02.11.2022. Similarly situated other F.I.R. named co-accused persons have already been granted anticipatory bail by this Court as well as other co-ordinate Bench of this Court vide Annexure-2 series of this petition.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Shyampur



Bhataha P.S. Case No. 124 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st, Sheohar.

(Sunil Kumar Panwar, J)

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