

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9094 of 2023

Arising Out of PS. Case No.-237 Year-2021 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Deepu Chaudhary @ Deepak Kumar @ Dipak Kumar Chaudhary @ Dippu
Kumar S/O Late Nathun Chaudhary R/O Village- Head Manpur, Kukra, P.S.-
Buniyadganj, Distt- Gaya.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-04-2023 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 a case registered for the
offences punishable under Sections 325, 341, 307,
120(B)/34 of the Indian Penal Code and Section 27 of
Arms Act. Later on Section 302 was also added.

The prosecution case in nutshell is that while
the informant along with his co-villager, namely,
Satendra Kumar were on morning walk, three miscreants
came on motorcycle and started indiscriminate firing



over chest, back and head of Satendra Kumar due to which he sustained injuries and admitted to hospital where he succumbed to gun shot injuries.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in F.I.R. nor he has been put on T.I.P. The name of petitioner sprang up in this case on the confessional statement of co-accused Mukesh Rawani @ Mukesh Kumar. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern either with the motorcycle in question or with the F.I.R. named accused persons. Moreover, the petitioner is languishing in judicial custody since 19.05.2022. Similarly situated several co-accused persons have been granted bail by several co-ordinate Benches of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.



Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Magadh Medical P.S. Case No. 237 of 2021 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 Judicial Magistrate, 1st Class, Gaya.

(Sunil Kumar Panwar, J)

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