

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7605 of 2023

Arising Out of PS. Case No.-414 Year-2021 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

GAURAV NIKHIL Son of Lalan Kumar Singh Resident of Village- Bela
Gopi, P.O.- Ibrahimpur, P.S.- Gaighat, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 24-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per prosecution case, some unknown miscreants are alleged to have committed murder of the brother of the informant namely, Ravi Kumar Soni by shot fire. The accused persons also robbed gold chain and other valuable articles from the deceased.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The prosecution case lodged against unknown and the name of the petitioner sprang up in



this case on the basis of confessional statement of co-accused Manish Kumar before the police which is inadmissible in the eye of law. No any incriminating article has been recovered from conscious possession of the petitioner. During course of investigation, no any consistent material has come against the petitioner. There is also no any eye witness of the incident. Moreover, the petitioner is languishing in judicial custody since 18.2.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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 Sadar P.S. Case No. 414 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Muzaffarpur.

(Sunil Kumar Panwar, J)

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