

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9043 of 2023

Arising Out of PS. Case No.-148 Year-2022 Thana- NAYA RAM NAGAR District- Munger

Bijay Kumar @ Vijay Kumar @ Raushan Kumar, S/O Sanjeev Kumar @
Sanjeev Chaurasiya, R/v- Bari Daulatpur, P.S.- Jamalpur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rabi Bhushan, Advocate Mrs. Rakhi Kumari, Advocate
For the Informant	:	Mr. Dhirendra Nath Jha, Advocate
For the State	:	Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-04-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Naya Ram Nagar P.S. Case No. 148 of 2022 dated 07.08.2022 registered for the offences punishable u/s 302 and 120B read with Section 34 of the Indian Penal Code and u/s 27 of the Arms Act.

As per the prosecution case, the co-accused persons and four unknown miscreants took out pistol from their waist



and started firing indiscriminately which hit on the head, stomach and back on the husband of the informant leading to his death.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused Vikash Kumar who has stated that the modus operandi as to how the occurrence took place with the association of the petitioner. He has further submitted that there is nothing except confessional statement of the co-accused. The petitioner is accused in two other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 10.08.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner in his confessional statement has stated that the modus operandi as to how the occurrence took place with the association of the co-accused persons.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Munger in connection with Naya Ram Nagar P.S. Case No. 148 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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