

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8590 of 2023

Arising Out of PS. Case No.-511 Year-2022 Thana- GAYA KOTWALI District- Gaya

ABHISHEK KUMAR Son of Pappu Raut Resident of Mohalla- Dhaniya
Bagicha, P.S.- Delha, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navin Kumar

For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-05-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Sections 302, 147, 148, 149 of the Indian
Penal Code and Section 27 of the Arms Act.

It is a case of commission of murder to the
informant's son, namely, Md. Faizal by gunshot injury by
several accused persons including the petitioner.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. No one is
the eye witness of the alleged occurrence. Only on the basis of
suspicion, the name of the petitioner dragged in the present case.
Petitioner was only the member of mob. During investigation,
no consistent material has come against the petitioner to show



his involvement in the present case. In fact, deceased was himself a man of dubious character and he might be killed by his enemies. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 9.8.2022.

The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that petitioner is named in the FIR. As per postmortem report, doctor opined cause of death due to fire arm injury. During investigation, several witnesses have supported the prosecution story.

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 CJM, Gaya in connection with Kotwali P.S. Case No. 511 of 2022.

(Sunil Kumar Panwar, J)

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