

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16542 of 2023

Arising Out of PS. Case No.-137 Year-2022 Thana- CHHATAUNI District- East Champaran

Danish Khan S/O Ekramuddin Khan R/V- Chhota Bariyarpur, P.S.-
Chhatauni, District- East Champaran Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar Mishra

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 120(B), 379/34 of the Indian Penal Code and Section 27 of Arms Act.

As per FIR, the informant alleged that the petitioner is indulged in hatching conspiracy to kill the informant's son namely, Amrish Raj by gunshot injury in connivance all F.I.R. named accused persons.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. From perusal of prosecution, the informant raised only suspicion against the petitioner and due to which he has falsely been implicated in the present case. During investigation, no any eye-



witness or nothing cogent material has come against the petitioner to connect his complicity in the alleged offence. The entire prosecution hinges around merely on suspicion. It is further submitted that co-accused Vishal Singh Rajput has already been granted bail by a co-ordinate Bench of this court vide order dated 16.1.2023 passed in Cr. Misc. No. 48343 of 2022, hence, the case of this petitioner stands on similar footing of that of the co-accused. It is further submitted that the petitioner is languishing in judicial custody since 15.9.2022.

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

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 Chhatauni P.S. Case No. 137 of 2022 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., East Champaran at Motihari.

(Sunil Kumar Panwar, J)

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