

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10749 of 2023

Arising Out of PS. Case No.-61 Year-2022 Thana- NARAINPUR District- Bhojpur

SUDHIR KUMAR @ VIKASH Son of Bijendra Singh R/v- Bajaruha, P.S.-
Udwant Nagar, District- Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-05-2023 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, 307/34 of the Indian Penal Code and Section 27 of Arms Act.

As per prosecution case, while the informant along with his two friends Ayush Raj Singh and Chitranjan Yadav were returning from Agiaon on a motorcycle, meanwhile, the accused persons on two motorcycles overtook them and co-accused Tiwari Yadav fired upon Ayush Raj Singh due to which he sustained gun shot injury. Thereafter, the Ayush Raj Singh @Sonu Kumar was taken to hospital for treatment, where doctor declared died.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in this case merely on suspicion. The specific allegation of shot fire is attributed to co-accused Tiwary Yadav and Adam Miya. The name of the petitioner has sprang up in this case on the basis of confession made by co-accused namely, Arbind Yadav. Moreover, similarly situated co-accused namely, Himanshu Kuma has already been granted bail by a co-ordinate Bench of this Court vide order dated 19.3.2023 passed in Cr. Misc. No. 71564 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 2.7.2022.

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 Narayanpur P.S. Case No. 61 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 Additional Chief Judicial Magistrate VI,
Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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