

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15838 of 2023

Arising Out of PS. Case No.-155 Year-2022 Thana- MADHAURAH District- Saran

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Anurag Kumar Singh S/o Parmanand Singh R/o Village- Narayanpur, P.S.-
Nautan, Distt- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 17868 of 2023

Arising Out of PS. Case No.-155 Year-2022 Thana- MADHAURAH District- Saran

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Raju Kumar @ Raju Kumar Ram @ Raju Ram S/O Heeralal R/v- Bisumpura,
Dargechak Tola, P.S.- Bankata, District- Deoria (UP)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 15838 of 2023)

For the Petitioner/s : Mr.Harendra Prasad

For the Opposite Party/s : Mr.Madhuri Lata

(In CRIMINAL MISCELLANEOUS No. 17868 of 2023)

For the Petitioner/s : Mr.Bishwajeet Singh

For the Opposite Party/s : Mr.Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have filed the instant application for
grant of regular bail in a case registered for the offences
punishable under Sections 307, 302 and 120B/34 of the Indian
Penal Code read with Section 27 of the Arms Act.

As per prosecution case, the informant runs a jewellery
shop and three persons worked in that shop. At the very



moment one unknown person covered his face, entered in the shop and pointed a country-made pistol towards the informant. After departure of the informant one of those miscreants shot fired on one of the employees of the informant namely Anil Kumar, due to which he died and the informant sustained gunshot injury on his right hand.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have falsely been implicated in the present case merely on the basis of suspicion. Petitioners are not named in the F.I.R and the F.I.R. has been lodged against unknown persons. The name of the petitioners have been transpired in this case on the basis of confessional statement of co-accused Shubham Singh @ Pahalwan, which has got no evidentiary value in the eye of law. No T.I.P. has been done by the police till date. Nothing incriminating article has been recovered from the conscious possession of the petitioners. During course of investigation no cogent material has come to show their complicity in the alleged occurrence. Similarly situated other co-accused persons have already been granted bail by this Bench vide order dated 18.05.2023 passed in Cr.Misc. No. 63168 of 2022 and 19144 of 2023. It is also submitted that both the petitioners are languishing in judicial custody for more



than nine months.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Madhaura P.S. Case No. 155 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saran at Chapra.

(Sunil Kumar Panwar, J)

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