

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15314 of 2023

Arising Out of PS. Case No.-68 Year-2021 Thana- BASANHI District- Saharsa

Rohit Singh Son Of Vedo Singh @ Vedanand Singh @ Bedo R/O Vill.-
Khapur, Ratwara O.P., P.S.- Alamnagar, Distt.- Madhepura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 302, 120(B)/34 of the Indian Penal Code and Section 27 of Arms Act.

The prosecution case in nutshell is that while the informant and her family members were sitting infront of her house, co-accused persons along with five unknown persons, variously armed, came and surrounded the house of informant. It is further alleged that co-accused Bhanu Mandal fired which hit on the



head of informant's husband. Co-accused Sunil Kumar also fired which hit back side of informant's husband. The husband of informant died on spot due to gun shot injuries. Thereafter, accused persons started air firing.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Petitioner is not named in the F.I.R. and the name of petitioner sprang up in this case during investigation. There is no specific allegation of firing against the petitioner rather the specific allegation of firing is levelled against co-accused Bhanu Mandal and Sunil Kumar. There is land dispute between the informant and F.I.R. named accused persons. Petitioner has no concern either with the informant or with the F.I.R. named accused persons. Moreover, the petitioner is languishing in judicial custody since 05.08.2022.

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 petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Basanahi P.S. Case No. 68 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Saharsa.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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