

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11712 of 2023

Arising Out of PS. Case No.-322 Year-2022 Thana- PARASBIGHA District- Jehanabad

Aman Kumar @ Rohit Son Of Late Krishna Prasad R/O Village- Dhibarapar,
Gayatri Mandir, P.S.- Jehanabad, District- Jehanabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alka Singh

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-07-2023 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 341, 307, 506, 120(B), 34 of the Indian Penal Code and Section 27 of the Arms Act. Later on Section 302 of the IPC was added.

As per prosecution case, on 13.11.2022 when the informant was coming to her house from market in the meantime, she saw that six persons on motorcycles came there and surrounded her Bhaisur Arvind Kumar, who was waiting for bus at Hosdihra More and out of them one co-accused Bittu Kumar on the order of co-accused Sudhir Kumar, fired upon her Bhaisur due to which he sustained gun shot injury and shot dead. Thereafter, all accused persons fled away from there.

It is submitted by learned counsel for the petitioner that



the petitioner is innocent and he has committed no offence. Neither the petitioner is named in the F.I.R. nor any specific allegation is levelled against him but due to local politics he has falsely been implicated in the present case by the police. The name of the petitioner has been transpired during investigation on the basis of his self confession before the police which has got no evidentiary value in the eye of law. The specific allegation of shot fire upon the deceased against co-accused Bittu Kumar due to which the deceased sustained gun shot injury and shot dead. It is also submitted that petitioner is languishing in judicial custody since 21.11.2022.

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 Paras Bigha P.S. Case No. 322 of 2022 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 A.C.J.M., Jehanabad.

(Sunil Kumar Panwar, J)

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