

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13802 of 2023

Arising Out of PS. Case No.-246 Year-2022 Thana- MUFFASIL District- Aurangabad

NATHUNI MISTRI @ NATHUN MISTRI S/O Late Sunder Mistri R/O
Village- Munshi Bigha, P.S- Muffasil District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bindeshwar Prasad Singh
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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 prayed for bail in a case registered for the offence punishable under sections 147, 302, 120(B) of the Indian Penal Code and section 27 of the Arms Act.

The prosecution story in nutshell is that when the informant with his father went to their land, in the meantime the petitioner along with co-accused persons came there and co-accused Sunil Chandravanshi and Rahul Chandravanshi started indiscriminate firing as a result of which informant's father succumbed to bullet injury on spot.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. No overt act is levelled against him. Specific allegation of opening fire is



against co-accused Sunil and Rahul. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 09.02.2023 passed in Cr. Misc. No. 61765 of 2022. Petitioner is languishing in judicial custody since 14.12.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad in connection with Muffasil P.S. Case No. 246 of 2022.

(Sunil Kumar Panwar, J)

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