

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14680 of 2023

Arising Out of PS. Case No.-359 Year-2022 Thana- MOUZAHDIPUR District- Bhagalpur

VIVEKANAND KUMAR @ DISCO Son of Gambhir Prasad @ Gambhir Prasad Yadav Resident of Village - Khutha (Koili Khuteha), P.S.- Lodipur (Bypass), District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 14700 of 2023

Arising Out of PS. Case No.-359 Year-2022 Thana- MOUZAHDIPUR District- Bhagalpur

RAJESH KUMAR SHAH @ RINKU Son of Late Arvind Prasad Sah Resident of Mohalla - Mahaddinagar, P.S.- Babarganj Mojahidpur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 14680 of 2023)

For the Petitioner/s : Mr.Bimal Kumar

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

(In CRIMINAL MISCELLANEOUS No. 14700 of 2023)

For the Petitioner/s : Mr.Anil Kumar Choudhary

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Sections 341, 307, 302, 120(B)/34 of the
Indian Penal Code and Section 27 of Arma Act.



As per allegation in the FIR, accused persons named in the FIR surrounded the father of the informant and accused Ajit Kumar and Amar Yadav opened fire as a result of which he succumbed to gun shot injuries.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. Only on the basis of suspicion, their names have been dragged in the present case. General and omnibus allegations have been levelled against them. Specific allegation of firing is against co-accused Ajit Kumar and Amar Yadav. During investigation, their names came on the basis of disclosure made by spy. Petitioners are in custody since for more than six months.

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 petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bhagalpur in connection with



Mojahidpur (Babarganj) P.S. Case no. 359 of 2022.

(Sunil Kumar Panwar, J)

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