

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15355 of 2023

Arising Out of PS. Case No.-864 Year-2021 Thana- DANAPUR District- Patna

TINKU KUMAR S/O LATE CHANDESHWAR RAI Resident of Village-
Saguna, Near Gandhi Murti, P.S.- Danapur, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 120B, 34 of the Indian Penal Code and Section 27 Arms Act and Section 25(9) of the Arms Act.

As per prosecution case, informant alleged that her daughter had gone to attend a marriage ceremony of her relative, where she received gun shot and due to which she succumbed to injuries.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The informant is not the



eye witness of the alleged occurrence rather the entire implication us based upon the hearsay input. There is no enmity and motive of killing the deceased. There is general and omnibus allegation of firing by the petitioner and other co-accused persons. Moreover, the petitioner has suo motto surrendered on 23.11.2022 and since then he is languishing in judicial custody. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated several co-accused persons have already been granted bail by different coordinate Benches of this Court (Annexure 2 series). It is further submitted that the petitioner suo-motto surrendered in this case on 14.10.2022 and since then he is languishing in judicial custody.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Danapur P.S. Case No. 864 of 2021 on furnishing bail bond of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the
satisfaction of learned A.C.J.M., Danapur, Patna.

(Sunil Kumar Panwar, J)

nirajkrs/-

U		T	
---	--	---	--

