

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 9613 of 2023

Arising Out of PS. Case No.-19 Year-2022 Thana- NOWKOTHI GARHPURA District-
Begusarai

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1. Budul Kumar Singh @ Budul Kumar @ Lakshman Kumar S/O Rambol Singh R/V- Brindawan, P.S.- Nowkothi, District- Begusarai
 2. Akhilesh Kumar S/O Manoj Singh R/V- Brindawan, P.S.- Nowkothi, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Sr Advocate
Mr. Pravin Kumar, Advocate
Ritwik Kumar, Advocate
Mrs. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 03-08-2023 Heard learned counsel for the petitioners and

learned APP for the State.

It is submitted by learned counsel for the
petitioners that he seeks permission to withdraw this
application against petitioner No 2, namely, Akhilesh
Kumar.

Permission is accorded.

This application is dismissed as withdrawn against
petitioner No 2.

So far as petitioner no-1 is concerned, he has



prayed for regular bail in a case registered for the offence punishable under sections 337, 338, 307, 302, 120B, of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the allegation against the accused persons including the petitioner is that they came at the house of the informant and fired upon the informant's family members due to which her husband died on the spot and her son and daughter sustained gunshot injury and their treatment is going on. It is further alleged that the petitioner No-2, namely, Akhilesh Kumar specifically fired upon the daughter of the informant due to which she sustained gunshot injury.

Learned counsel for the petitioner submit that the petitioner is innocent and has committed no offence. Due to previous enmity the petitioner has falsely been implicated in this case and he got no criminal antecedent. There is no specific allegation of shot firing levelled against the petitioner rather general and omnibus allegation levelled against him. It is further submitted that the petitioner is languishing in judicial custody since 08.09.2022.

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 custody period, this court is inclined to enlarge the petitioner No-1 on bail **after framing of charge, if not framed.** The above named petitioner No-1,namely Budul Singh @ Budual Kumar is directed to be released on bail in connection with Nowkothi P.S. Case No. 19 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Begusarai.

(Sunil Kumar Panwar, J)

Manishkumar/-

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