

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14442 of 2023

Arising Out of PS. Case No.-472 Year-2022 Thana- BARAUNI District- Begusarai

Piyush Kumar S/O Sanjeet Kumar @ Sanjit Kumar R/O Village- Bagha, P.S.-
Town (Lohiya Nagar O.P.), Distt- Begusarai.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-04-2023 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 302, 120(B)/34 of the Indian Penal Code and Section 27 of Arms Act.

The prosecution case in nutshell is that informant's son was called by co-accused Ashish Kumar @ Prem. After sometime, the informant received information that her son was shot fired When the informant along with her relatives went there, she found her son has sustained multiple fire arm injuries and



blood was oozing from his body. The son of informant succumbed to fire arm injuries.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in F.I.R. nor there is eye witness of the alleged offence. The name of petitioner sprang up in this case on the basis of confessional statement of co-accused Ashish Kumar @ Prem. There is no consistent material evidence against the petitioner. Moreover, the petitioner is languishing in judicial custody since 16.10.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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 Barauni P.S. Case No. 472 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 C.J.M., Begusarai.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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