

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16650 of 2023

Arising Out of PS. Case No.-15 Year-2015 Thana- SAHARSA SADAR District- Saharsa

Munna Das Son Of Arjun Das Resident Of Village - Dhurgaon, P.S. -
Madhepura, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 31-10-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Sections 394 and 302 of the Indian Penal
Code and Section 27 of the Arms Act.

As per allegation in the FIR, informant left his son to
the shop and he went to his house for dinner. When he heard the
sound of firing, he along with his family members rushed
towards his shop, where he saw that his son was lying on the
pool of blood and on two motorcycles, four accused persons
have fled away. During course of treatment, informant's son,
namely, Sunil Kumar Gupta died.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. Informant



is not the eye witness of the alleged occurrence. FIR is against unknown. Only on the basis of suspicion, the name of the petitioner has been dragged in the present case. During investigation, name of accused Amit Paswan has surfaced as main assailant, who has already been enlarged on bail by another co-ordinate Bench of this Court vide order dated 4.3.2016 passed in Cr. Misc. No. 1950 of 2016. No consistent material has come against the petitioner to show his involvement in the present case. Petitioner is languishing in judicial custody since 30.10.2017.

The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that petitioner is a notorious person having thirty eight criminal antecedent.

As per progress report dt. 30.08.2023, it appears that the case is pending for prosecution evidence and no any witness has been examined as yet.

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
Additional Sessions Judge 1st, Saharsa in connection with
Saharsa Sadar P.S. Case No. 15 of 2015.

(Sunil Kumar Panwar, J)

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