

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19294 of 2023

Arising Out of PS. Case No.-191 Year-2022 Thana- AMBA District- Aurangabad

=====

Shubham Giri @ Shubham Bharti @ Shubham Kumar Bharti @ Sonu Kumar
son of Vinay Bharti, Resident of Village- Adhora Shramu, P.S.- Daltenganj
Dist- Palamu (Jharkhand)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra
For the Opposite Party/s : Mr.Nand Kishore Prasad

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-05-2023 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 and
307/34 of the Indian Penal Code and Section 27 of Arms
Act.

As per prosecution case, while the husband of the
informant, Sujeet Kumar Mehta was returning to his house
with Chandan Kumar by bike, some unknown persons on
two motorcycles started indiscriminating firing as a result
of which the husband of the informant and Chandan Kumar
sustained injury and later he died. Some accused persons
were identified by injured Chandan Kumar as Aakash



Kumar, Chuna Singh and Nand Kishore Kumar. It is further alleged that the accused persons also threatened the informant's husband while he was in jail and they had killed her father-in-law.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Neither the petitioner is named in the F.I.R. nor he has been put on T.I. parade. The name of the petitioner has been transpired on the basis of confessional statement of co-accused Purushottam Kumar which has no evidentiary value in the eye of law. It is further submitted that co-accused Purushottam Kumar has been granted Bail vide order dated 25.02.2023, passed in Cr. Misc. No. 66000 of 2022. There is no consistent evidence against the petitioner to implicate him in the present case. Moreover, the petitioner is languishing in judicial custody since 20.10.2022.

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 period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Amba P.S. Case No. 191 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 Chief Judicial Magistrate, Aurangabad.

(Sunil Kumar Panwar, J)

nirajkrs/lata/-

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

