

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19255 of 2023

Arising Out of PS. Case No.-243 Year-2021 Thana- BARAUNI District- Begusarai

Rajesh Kumar Son Fo Fulena Roy @ Fulena Singh @ Dhorho, R/O Village-Semaria-1, P.S.- Barauni, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 386, 302, 379, 34 of the Indian Penal Code and Section 27 of Arms Act.

As per prosecution case, while the son of the informant returning to his house, all the F.I.R. named accused and unknown persons surrounded his son and started abusing. It is further alleged that on the direction of co-accused Bablu Kumar, co-accused Mukesh Kumar shot fire on the head of the Informant's son due to which he died.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to village politics. There is no specific allegation of overt act against the petitioner. The



specific allegation of shot fire is against the co-accused Mukesh Kumar. The allegation levelled against the petitioner is general and omnibus. He has got no criminal antecedent. Similarly situated various co-accused persons have already been granted bail by different co-ordinate Benches of this Court (annexed as Annexure- 2 series). Moreover, the petitioner is languishing in judicial custody since 15.02.2023.

Learned APP appearing for the state and learned counsel for the informant have 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 Barauni P.S. Case No. 243 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 Addl. Sessions Judge-V, Begusarai.

(Sunil Kumar Panwar, J)

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