

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19200 of 2023**

Arising Out of PS. Case No.-319 Year-2022 Thana- KUCHAIKOTE District- Gopalganj

Ganesh Singh @ Ganesh Ray, Son Of Late Shankar Singh, R/O Village-
Chatur Bagaha, P.S.- Jadopur, District- Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh

For the Opposite Party/s : Mr.Rajiv Nayan

**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 341, 342, 323, 307, 504 and 34 of the Indian Penal Code and Section 27 of Arms Act.

As per prosecution case, while the informant was returning from a Barat to his village by his Bolero then near Kanhaiya Chauk Mathiya Nandlal, the petitioner and other co-accused person intercepted his Bolero at gun point and pulled him out of the said Bolero. Co-accused Prince Singh fired upon his stomach due to which he fell down.



Thereafter, deeming the informant as dead, both the accused persons fled away from the motorcycle.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case. There is an inordinate delay of 7 days in lodging the F.I.R. There is no specific allegation against the petitioner rather the specific allegation of shot fire is against co-accused Prince Kumar Singh. Moreover, the injury sustained by the informant is simple in nature. A statement has been made in para 3 of the petition that petitioner has clean antecedent. Petitioner is languishing in judicial custody since 13.11.2022.

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 Kuchaikote P.S. Case No. 319 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 Additional
Chief Judicial Magistrate-I, Gopalganj.

(Sunil Kumar Panwar, J)

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