

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19875 of 2023

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

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RAUSHAN PANDEY @ RASHAN PANDEY S/O SANJAY PANDEY
Resident of Village- Daltenganj, P.S.- Daltenganj, District- Palamu, At present
resident of Village- Kundarahe, P.O.- Badiha, P.S.- Manjhiya, District-
Gadhawa (Jharkhand).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Shailendra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-05-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner has preferred this application for grant

of regular bail in connection with S.Tr. No. 97 of 2023 / 14 of

2023 arising out of Amba P.S. Case No. 191 of 2022 dated

06.08.2022 registered for the offences punishable u/s 302, 307

read with section 34 of the Indian Penal Code and 27 Arms Act.

As per the prosecution case, when the informant along

with her family members went to the market, in the meantime



four miscreants boarded on two motorcycles came there and started firing indiscriminately causing injuries to them due to that her husband and her brothers fell down. Thereafter, all the miscreants fled away.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused Shubham Singh. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated co-accused has already been granted bail by the co-ordinate bench *vide* order dated 03.05.2023 passed in Cr. Misc. No. 1345 of 2023. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 21.08.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Aurangabad in connection with S.Tr. No. 97 of 2023



/ 14 of 2023 arising out of Amba P.S. Case No. 191 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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