

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26969 of 2023

Arising Out of PS. Case No.-343 Year-2022 Thana- BARHARA District- Bhojpur

1. Mukesh Kumar @ Manu S/O Nand Bihari Rai Resident Of Village- Ghu Sariya, P.S.- Barahara, District- Bhojpur
2. Pankaj Kumar Yadav @ Pankaj Rai S/O Suruj Rai Resident Of Village- Ghu Sariya, P.S.- Barahara, District- Bhojpur
3. Binod Rai S/O Suruj Rai Resident Of Village- Ghu Sariya, P.S.- Barahara, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar Shrivastava

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-05-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The petitioners seek regular bail in connection with Barahara P.S. Case No. 343 of 2022 registered for the offence under Sections 307, 302, 120(B)/34 of the Indian Penal Code and Section 27 of Arms Act.

As per prosecution case, on the alleged date of occurrence when the informant along with his son namely, Santosh Kumar was sitting, meanwhile, the accused persons including the petitioners came there and on instruction of other co-accused, Ritesh Yadav and Dinesh Yadav opened fire which finally resulted into the death of the informant's son Santosh



Kumar.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. The petitioners are alleged to be only members of mob due to which they have falsely been implicated in this case. From perusal of FIR, it appears that the specific allegation of firing upon deceased Santosh Kumar is attributed against other co-accused namely, Ritesh Yadav and Dinesh Yadav not against these petitioners. General and omnibus allegation leveled against these petitioners. A statement has been made in para-3 of the petition that the petitioners have got no criminal antecedent. It is further submitted that the petitioners are languishing in judicial custody since 31.1.2023.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Barahara P.S. Case No. 343 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of learned Chief Judicial
Magistrate, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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