

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24905 of 2023

Arising Out of PS. Case No.-371 Year-2020 Thana- BUXAR MUFFSIL District- Buxar

KUNDAN SRIVASTAVA @ KUNDAN SHRIWASTAV @ KUNDAN
KUMAR Son of Ranjan Kumar Srivastava Resident of village-Nai Bazar,
Police Station-Buxar (T), District-Buxar

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Setu Prateek

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-12-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 307, 302, 34, of the Indian Penal Code and Section 27 of the Arms Act.

3. As per FIR, altogether five unknown persons said to have fired indiscriminately as a result of which son of the informant sustained firearm injuries and died.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner is not named in the FIR



rather he has falsely been implicated in this present case merely on the basis of confessional statement of co-accused. During investigation, no consistent evidence has been collected against the petitioner. Similarly situated co-accused has already been granted bail by a coordinate Bench of this court vide order dated 18.11.2021 passed in Cr. Misc. No. 22447 of 2021. The petitioner is languishing in judicial custody since 17.05.2021.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Buxar Muffasil P.S. Case No. 371 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-XI, Buxar.

(Sunil Kumar Panwar, J)

manishkumar/-

U			
---	--	--	--

