

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25187 of 2023

Arising Out of PS. Case No.-65 Year-2022 Thana- PURAINI District- Madhepura

Ravi Singh, Son of Shiv Singh, Resident of Village - Harnachak, P.S.-
Gopalpur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-05-2023 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 Section 307/34 of the Indian Penal Code and Section 27 of Arms Act.

The prosecution case, in brief, is that while the informant was sitting at his medicine shop, four unknown persons with their hidden face came on two motorcycle and out of them two persons came to his counter and one of them fired upon him as a result of which the informant sustained injury and thereafter, all the accused persons fled away from there.

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 dirty village politics. The petitioner is not named in the F.I.R. Neither the petitioner was apprehended on the spot nor any incriminating article has been made from his conscious possession. The name of the petitioner has been dragged in this case on the basis of confessional statement of co-accused Subhash Mahto and Md. Azhar Ali @Ajhar Ali, which has no evidentiary value in the eye of law. There is no specific overt act of shot firing attributed against the petitioner. As per the injury report annexed as Annexure-2, the injury sustained by the informant is simple in nature. It is further submitted that similarly situated co-accused has already been granted bail by co-ordinate Bench of this Court vide order dated 07.02.2023 passed in Cr. Misc. No. 60444 of 2022. Moreover, the petitioner is languishing in judicial custody since 30.04.2022.

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 Puraini P.S. Case No. 65 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 Addl. Sessions Judge-III, Madhepura.

(Sunil Kumar Panwar, J)

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