

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28413 of 2023

Arising Out of PS. Case No.-57 Year-2021 Thana- DESARI District- Vaishali

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Gaurav Singh @ Gaurv Kumar Son Of Late Sanjay Singh Resident Of Village- Sultanpur, Ps- Desari, Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha

For the Opposite Party/s : Mr.Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 04-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 302, 34 of the Indian Penal Code.

3. As per FIR, the allegation against unknown miscreants is that they fired upon the informant's elder brother due to which he sustained gunshot injury and died on the way of hospital.

4. It is submitted by learned counsel for the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of confessional statement of co-accused, which is not admissible in the eye of law. The petitioner is not named in the FIR nor he was



apprehended on the spot. There is no specific allegation of firing levelled against the petitioner rather except suspicion and confessional statement of co-accused no consistent material has come out against the petitioner. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 29.11.2021.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IX, Vaishali at Hajipur in connection with Desari P.S. Case No. 57 of 2021.

(Sunil Kumar Panwar, J)

Manishkumar/-

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