

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31914 of 2023

Arising Out of PS. Case No.-168 Year-2022 Thana- BYPASS District- Patna

SHIVAM KUMAR @ CHANTI S/o- Vinay Kumar @ Vinay Mehta Village-
Bahari Begampur Parpokhara Data Saheb Ps- Bypass Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-06-2023 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 302/34 of the I.P.C. and Section 27 of the Arms Act.

According to the F.I.R., the informant alleged that two unknown persons shot fired upon her husband with intention to kill him, thereafter husband of the informant was brought to N.M.C.H., where doctor declared him dead.

Learned counsel for the petitioner submits that 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 before the police, which has got no evidentiary value in the eye of law. It is



further submitted that the petitioner is not named in the F.I.R. and no any cogent material has surfaced against the petitioner during course of investigation. Similarly situated co-accused has already been granted bail by this Court vide order dated 28.04.2023 passed in Cr. Misc. No. 15630 of 2023. Moreover, he is languishing in judicial custody since 21.07.2022.

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 his 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 Bypass P.S. Case No. 168 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 A.C.J.M.-VI, Patna City, Patna.

(Sunil Kumar Panwar, J)

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