

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30535 of 2022

Arising Out of PS. Case No.-82 Year-2021 Thana- MARANCHI District- Patna

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LANGO BIND @ LANGARA S/o Bhola Bind R/o village- Purani Kashaha
Diara, P.S.- Maranchi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 19-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Maranchi PS case no. 82 of 2021 instituted for the offences punishable under Sections 302 and other allied sections of the Indian Penal Code and Section 27 of Arms Act.

The case of the prosecution in brief, according to the informant, is that on 11.08.2021 at about 7.30 in the evening, a meeting was arranged near Bola Asthan, wherein the Ex-Sarpanch namely Ram Suchit Bind and co-accused person namely Ram Nandan Nishad and Ram Suchit Nishad were present and then, altercation had taken place in between the said persons, whereupon one co-accused person namely



Ajay Nishad had fired on the said Ram Nandan Nishad, resulting in him being hit by gunshot and during the course of treatment, he had died. The deceased namely Ram Nandan Nishad is stated to be the father of the informant.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case and he is languishing in custody since 11.01.2022. The learned counsel for the petitioner has further submitted that the petitioner is not even named in the F.I.R. and he was also not present at the place of occurrence and has been implicated in the present case only because of his bad antecedent. It is also submitted that the name of the petitioner has transpired in the present case only upon recording of the re-statement of the informant, in which, the petitioner is stated to be a member of unlawful assembly, hence, apparently, the petitioner is not having any complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also those available in the case diary,



this Court finds that as far as the petitioner is concerned, he is neither named in the FIR nor he has been alleged to have fired any gun shots on the deceased, hence, *prima facie* he is not having any complicity in the present case, thus I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st class, Barh, Patna in connection with Maranchi PS case no. 82 of 2021.

(Mohit Kumar Shah, J)

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