

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31675 of 2023

Arising Out of PS. Case No.-135 Year-2022 Thana- MIRGANJ District- Purnia

VIJETA SAH Son of Ganesh Sah Resident of village-Sanjhaghat, P.S.-
Mirganj, District-Purnea

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-08-2023 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 sections 397, 307 of the Indian Penal Code and Section 27 of Arms Act.

3. As per prosecution case, four miscreants are alleged to have committed loot on the point of gun and assaulted the informant and have also fired upon the husband of the informant when he made protest.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR rather he has falsely been implicated in this case. No any looted material has been recovered from conscious possession of the petitioner. His name



transpired in this case on the basis of confessional statement of co-accused namely, Sushil Kumar Mahto who is already getting the privilege of bail granted by a co-ordinate Bench of this Court vide order dated 24.7.2023 passed in Cr. Misc. no. 28900 of 2023 hence, the case of this petitioner stands on similar footing of that of co-accused. The petitioner has got no criminal antecedent as stated in para-3 of the petitioner. Moreover, he is languishing in judicial custody since 6.1.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as 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 Mirganj P.S. Case No. 135 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 Chief Judicial Magistrate, Purnea.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

