

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33024 of 2023

Arising Out of PS. Case No.-112 Year-2020 Thana- DULHIN BAZAR District- Patna

Mukesh Kumar @ Mukesh Yadav Son Of Binod Kumar @ Binod Yadav
Residnet Of Village Sarkuna, P.S- Dulhin Bazar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parashuram Singh

For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-08-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 302, 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per allegation in the F.I.R, 15 named accused persons including the petitioner herein came variously armed when it is alleged that co-accused Sujit Kumar, Nitish Kumar, Gajendra Yadav and the petitioner surrounded the informant's brother and shot him dead. On hearing the sound of firing, the informant saw the



accused persons and identified them.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing has been recovered from the conscious possession of the petitioner. There is no consistent material evidence against the petitioner and only on the basis of suspicion, the petitioner has been roped in the present case. The petitioner is languishing in custody since 03.02.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, other similarly situated co-accused person has been granted bail by a coordinate Bench of this Court vide order dated 06.04.2021 passed in Cr. Misc. No. 12283 of 2021.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period



under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Danapur in connection with Dulhin Bazar P.S. Case No. 112 of 2020.

(Sunil Kumar Panwar, J)

Shageer/-

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

