

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32249 of 2023

Arising Out of PS. Case No.-293 Year-2022 Thana- PATEPUR District- Vaishali

=====

Kaushal Kumar Son of Sunil Kumar @ Sunil Kumar Sahni Resident of
village - Kachchi Pakki Atardah, P.S. - Muzaffarpur, Distt. - Muzaffarpur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 21-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Patepur
P.S. Case No. 293 of 2022 dated 09.11.2022, instituted for the
offence punishable under Sections 147, 148, 149, 323, 307, 302
of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that on 05.11.2022
at about 08.20 hrs., the informant was sitting at his shop Ganpati
Traders. On hearing hue and cry, the informant along with other
persons went at the place of occurrence and found that Md.
Sahjade, Md. Nehal Ahmad (Sahru), Balbant Kumar Singh @
Pappu, Manish Rai and four unknown persons were abusing his
son Jitendra Kumar with regard to Bus stand. In the meantime,
all the aforesaid persons took out pistol from their pocket and



started firing. It is further alleged that, Md. Shahjad and Manish Ray fired at the chest of his son and thereafter, all the accused persons fled away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case merely on suspicion. Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. The name of the petitioner has been disclosed only on the basis of confessional statement of co-accused Md. Afridi. Learned counsel for the petitioner submits that the petitioner has no concern with co-accused persons and till date no T.I.P. has been conducted. Learned counsel for the petitioner further submits that on perusal of F.I.R., it appears that specific allegation is against co-accused Md. Sahjad and Manish Rai. Lastly, it has been submitted that the petitioner is in custody since 24.12.2022 having one criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of



Rs. 10,000/- (ten thousand) with two sureties of the like amount
each to the satisfaction of the learned Chief Judicial Magistrate,
Vaishali at Hajipur in Patepur P.S. Case No. 293 of 2022.

(Khatim Reza, J)

premchand/-

U			
---	--	--	--

