

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36397 of 2023

Arising Out of PS. Case No.-602 Year-2022 Thana- BANIAPUR District- Saran

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RAGHURAJ TIWARI @ SUNNY BABA @ SUNNY TIWARI Son of Mr.
Brijnath Tiwari Resident of village - Kateyan, P.S. - Janta Bazar, Distt. - Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 120(B)/34 of the Indian Penal Code and Section 27 of Arms Act.

3. As per prosecution case, the informant alleged that his brother namely, Rupesh Singh was committed murder by shot fire in his stomach by co-accused Ranjit Shah @Bulbul. The petitioner is said to have caught hold the deceased at the time of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. From perusal of FIR, it



appears that specific overt-act against co-accused Ranjit Shah @Bulbul who shot fire at the stomach of the deceased whereas the petitioner along with others only caught hold the deceased. It is also submitted that there is major contradiction between the version of prosecution and statement of witness during investigation. Postmortem report of the deceased shows only one entry wound and cause of death is opined due to Hemorrhage & shock as a result of firearm injury. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition. It is further submitted that the petitioner is languishing in judicial custody since 27.12.2022.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently 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 Baniyapur P.S. Case No. 602 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 11th Additional Sessions Judge, Saran at
Chhapra.

(Sunil Kumar Panwar, J)

Amandeep/-

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