

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38227 of 2023

Arising Out of PS. Case No.-191 Year-2022 Thana- AMBA District- Aurangabad

=====

GOLU SHUKLA @ NITISH SHUKLA S/O RAKESH KUMAR SHUKLA
@ PAPPU SHUKLA @ RAKESH SHUKLA R/O Village- Palhe Khurd, P.S-
Patan, Distt.- Palamu (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-07-2023 Heard learned counsel appearing on behalf of the

parties.

The petitioner seeks bail in connection with Amba
P.S. Case No. 191 of 2022 registered for the offence under
Sections 302 and 307/34 of the Indian Penal Code and Section
27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 03.10.2022.

The allegation against the petitioner is to commit
murder of husband of informant, along with other named co-
accused persons, by causing firearm injury, where, occurrence
arises out of previous enmities.

Learned counsel appearing on behalf of the petitioner



submitted that name of the petitioner surfaced, during course of investigation, on the basis of confessional statement of co-accused persons, namely, Shubham Singh and Subham Giri and in furtherance of, no incriminating material surfaced/recovered, so as to connect petitioner, *prima facie*, with present occurrence of murder. It is submitted that the informant is eye-witness of the occurrence, who specifically named co-accused, namely, Akash Kumar Singh, as regard to cause firearm injury to her husband. It is submitted that co-accused, namely, Subham Giri @ Shubham Bharti, who named this petitioner, during course of investigation, has already granted bail by one of the learned co-ordinate Bench of this Court, through Cr. Misc. No. 19294 of 2023 dated 18.05.2023. While concluding the argument, it is submitted that petitioner found involved in 02 more criminal cases, where, he is on bail and moreover, investigation of this case is completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as save and except suspicion arises out of confessional



statement of co-accused, where, informant is eye-witness of occurrence, failed to named this petitioner coupled with the fact that charge-sheet has already submitted, where, petitioner is in custody since 03.10.2022, let the petitioner, above named, is directed to be released on bail in connection with Amba P.S. Case No. 191 of 2022, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Katyayan/-

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

