

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38297 of 2023

Arising Out of PS. Case No.-199 Year-2021 Thana- MAHARAJGANJ District- Siwan

RAHUL SINGH Son of Bijendra Singh @ Vijendra Singh Resident of village
- Rukundipur, P.S. - Daraunda, Distt. - Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 307, 326, 302, 325/34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, informant's son was returning from market with his friend Ashrf Ansari and on way three unknown miscreants on a motorcycle fired upon the son of the informant and during treatment, he died. One more person, namely Sudama Yadav also died due to indiscriminate firing done by miscreants and two others were became seriously injured.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. FIR is



against unknown. His name appeared in this in confessional Statement of Singh, before the police which has got no evidentiary value in the eye of law. Save and except confessional Statement, nothing has come against the petitioner to show his complicity in the present case. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 17.08.2022 passed in Cr. Misc. No. 18519 of 2022. Petitioner is languishing in judicial custody since 26.11.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Siwan in connection with Maharaganj P.S. Case No. 199 of 2021.

(Sunil Kumar Panwar, J)

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