

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39865 of 2023

Arising Out of PS. Case No.-35 Year-2023 Thana- MAHUA District- Vaishali

Uday Kumar Son Of Dinanath Singh Village Rahimpur, Ps Bidupur District
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shrishti Singh

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 307/34 of the Indian
Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, some unknown miscreants
fired upon the husband of the informant, while informant, her
husband and children were going to the house of her brother-in-
law.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is not named in the FIR and
the same has been lodged against unknown persons. The name
of the petitioner has come into light, on the basis of confessional



statement of co-accused Shailesh Kumar, which has got no evidentiary value in the eyes of law. There is no specific overt act of firing against the petitioner and no incriminating article has been recovered from the conscious possession of the petitioner. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 28.07.2023 passed in Cr. Misc. No. 43924 of 2023. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 20.03.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Court below in connection with Mahua P.S. Case No. 35 of 2023.

(Sunil Kumar Panwar, J)

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