

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44912 of 2023

Arising Out of PS. Case No.-560 Year-2019 Thana- KESARIA District- East Champaran

Lal Sahab @ Tarun Kumar S/O Karpuri Thakur R/O Mohalla- New
Chandmari, Ps. Motihari Town, Dist. East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 11-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per allegation in the FIR, informant is President of Nagar panchayat Kesaria. On 6.12.2019, while he was returning to his home by Scorpio, four miscreants on two motorcycles intercepted him and one of them opened fire which hit his leg and rest of the accused persons started indiscriminate firing on his vehicle.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to his long criminal antecedents. Neither the petitioner is named in the



FIR nor has been put on TIP. Petitioner was not arrested on spot and nothing has been recovered from his conscious possession. His name transpired in confessional statement of co-accused Kumod Tiwari, who has already been granted bail vide order dt. 17.11.2021 passed in Cr. Misc. No. 64161 of 2021. Petitioner is languishing in judicial custody since 20.6.2022.

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, 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 ACJM, Motihari, East Champaran in connection with Kesariya PS Case No. 560 of 2019.

(Sunil Kumar Panwar, J)

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