

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43472 of 2023

Arising Out of PS. Case No.-683 Year-2021 Thana- SITAMARHI District- Sitamarhi

Raja Kumar @ Raj @ Raju Kumar @ Raja Son Of Baidhnath Mahto Resident
Of Village- Korabhim (Korachik), Ps- Parsauni, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh

For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

The petitioner has prayed for bail in a case instituted for
the offence under Sections 302, 307, 120(B), 379/34 of the Indian
Penal Code and Section 27 of the Arms Act.

As per allegation in the FIR, informant with his counter
staff and driver were going to his clinic by four wheeler and when
he went towards parking at the back of the clinic to park the car,
four accused persons ambushed there and suddenly opened firing
upon them. Informant received bullet injury in his right side of
chest, hand and knee and his counter staff, Babli Kumari died on
spot due to bullet injury. It is further alleged that informant's
second wife and her nephew have threatened him of dire
consequences prior to the alleged occurrence.

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



neither named in the FIR nor put on TIP. No one is the eye witness of the alleged occurrence. Only on the basis of suspicion, the name of the petitioner has been dragged in the present case. During investigation, no consistent material has come against the petitioner to show his involvement in the present case. In confessional statement of co-accused Indal Mandal, name of the petitioner has surfaced. Co-accused Seema Sinha has already been granted bail vide order dated 8.6.2022 passed in Cr. Misc. No. 2742 of 2022 by another co-ordinate Bench of this Court. Petitioner is languishing in judicial custody since 20.02.2023.

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 CJM, Sitamarhi in connection with Sitamarhi (Mehsaul O.P.) PS Case No. 683 of 2021.

(Sunil Kumar Panwar, J)

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