

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41773 of 2023

Arising Out of PS. Case No.-249 Year-2023 Thana- BIHTA District- Patna

Chintu Kumar Son Of Jaleshwar Prasad @ Mithilesh Ray @ Jilesh Ray
Resident Of Village - Bela, P.O. - Neora, P.S. - Bihta (Neora O.P.), Distt. -
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Choudhary
For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

- 4 11-09-2023 1. Heard learned counsel for the petitioner, learned
counsel for the inforamnt and learned APP for the State.
2. The petitioner has prayed for regular bail in a
case registered for the offence punishable under sections
341, 342, 307, 302, 34, of the Indian Penal Code and
Section 27 of the Arms Act.
3. As per prosecution case, the allegation against
the accused persons including the petitioner is that they by
means of iron rods, knives and fire-arm committed murder
of the informant's brother due to which he sustained injuries
and died. It is further alleged that they also assaulted the
informant.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner was merely an order giver and due to dirty village politics and previous enmity he has falsely been implicated in this case. There is inordinate delay of three days in lodging the FIR without given any cogent reason. No specific overt-act levelled against the petitioner rather the specific allegation of shot firing and assaulting by means of knife is levelled against co-accused persons. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 02.04.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bihta P.S. Case No. 249 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned Additional Chief
Judicial Magistrate-Ist, Class, Danapur.

(Sunil Kumar Panwar, J)

Manishkumar/-

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