

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44062 of 2023**

Arising Out of PS. Case No.-239 Year-2022 Thana- BACHHWARA District- Begusarai

RISHU KUMAR son of Amit Kumar Singh @ Amit Kumar Ray Village-  
Narepur Dharampur PS- Bachhwara Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      10-08-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

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

3. As per prosecution case, the informant alleged that while he going to his sister's house, meanwhile, two miscreants on a motorcycle fired upon him which hit in his back side as a result of which he sustained injury and fell down. Thereafter, with the help of other person, he was taken to hospital.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The prosecution case lodged against unknown miscreants and the petitioner has falsely been implicated in this case. The petitioner was arrested in another case Barauni (Chakiya) P.S. Case No.



438 of 2022, in which his confessional statement has been made and on the basis of same, his name transpired in this case. It is also submitted that the confession before police is inadmissible in the eye of law. Neither the petitioner was put on TI Parade nor any incriminating article has been recovered from his possession. Moreover, he is languishing in judicial custody since 27.3.2023.

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 Bachhwara P.S. Case No. 239 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai.

**(Sunil Kumar Panwar, J)**

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