

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45471 of 2023

Arising Out of PS. Case No.-119 Year-2023 Thana- MANIYARI District- Muzaffarpur

Sachin Kumar S/O Shri Bhuyan Ranjan Tiwari @ Bhuban Ranjan Tiwari R/O
Village- Rampur Balra, P.S- Kurhani, P.S- Bela, Distt.- Muzaffarpur. At
Present Bela Maiasthan K Pass P.S- Bela Dist- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Priya

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-08-2023 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 and 34 of the Indian Penal Code and Section 27 of Arms Act.

3. Allegation against the two unknown persons is that they opened fire upon the informant along with one other person due to which they sustained gun shot injury. Thereafter, both of the miscreants fled from the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. The petitioner is not named in FIR rather his name came into light in this case on the basis of confessional statement of informant's



wife during investigation before the police which has got no evidentiary value in the eye of law. It is further submitted that neither any consistent evidence has come against the petitioner nor any eye witness of the alleged occurrence. It is also submitted that there is no any evidence available, by whom firing has been made on the informant along with one other person. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 23.04.2023.

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 Maniyari P.S. Case No. 119 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 Judicial Magistrate First Class, West, Muzaffarpur.

(Sunil Kumar Panwar, J)

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