

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48523 of 2023**

Arising Out of PS. Case No.-49 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

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DHIRAJ KUMAR @ MUSRI SINGH @ DHIRAJ SINGH son of manjhi
Singh Village- Udaybhanpur Ps- Barhara Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 08-08-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Ara Muffasil P.S. Case No. 49 of 2023 dated 31.01.2023 registered for the offences punishable u/s 302 and 307 read with 34 of the Indian Penal Code and Sections 25(1-b)a, 26, 27 and 35 of the Arms Act.

4. As per the prosecution case, while the informant was attending a marriage ceremony, the four named accused persons and four unknown miscreants, with an intention to kill



fired gun shots on him which hit his right thigh. It is further alleged that one Vidhyachal Prasad Gupta also sustained gun shot injury on his chest and died on the way to the hospital.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused Manoj Yadav who has already been granted bail by the Co-ordinate Bench of this Court *vide* order dated 14.07.2023 passed in Cr. Misc. No. 41804 of 2023. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 20.04.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhojpur at Ara in connection with Ara Muffasil P.S.



Case No. 49 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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