

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48906 of 2023

Arising Out of PS. Case No.-288 Year-2022 Thana- BIHTA District- Patna

Rahul Singh @ Rahul Kumar S/O Satyendra Singh @ Pakpak R/O Village-
Nathupur Ps. Bihta Dist. Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Usha Kumari Singh, Advocate
For the Informant	:	Mr. Priya Ranjan Sandilya, Advocate
For the Opposite Party/s	:	Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 04-08-2023 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 counsel for the informant as well as learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Bihta P.S. Case No. 288 of 2022 dated 26.03.2022 registered for the offences u/s 302 read with section 34 of the Indian Penal Code and 27 of the Arms Act.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have surrounded the husband of the informant and the co-accused Subodh Singh fired on the informant's husband which hit the left side of chest of the informant's husband due to which he died on the spot.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case due to land dispute. There is general and omnibus allegation against the petitioner. The specific allegation of firing on the deceased is against the co-accused Subodh Singh. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 06.07.2023 passed in Cr. Misc. No. 5903 of 2023. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.01.2023.

6. Learned counsel for the informant as well as 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, Danapur, Patna in connection with Bihta P.S. Case No. 288 of 2022.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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