

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51066 of 2023

Arising Out of PS. Case No.-19 Year-2022 Thana- UDAKISHUNGANJ District- Madhepura

Shiyaram Mehta S/O Nago Mehta R/O Village- At- Madatpur Basa, Ward No. 13, Ps. Alamnagar, Dist. Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Alka Verma
For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-08-2023 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 302 and 120B of the Indian Penal Code and Section 27 of Arms Act.

3. As per allegation in the FIR, Manager, namely, Lal Kumar Yadav of Ashirvad Nursing Home was shot dead by some unknown miscreants about which informant got information by telephonic call. Injured died on the way to hospital and the reason behind this occurrence is said to be election rivalry and land dispute.



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. It is further submitted that there is delay of two days in lodging the FIR and the name of the petitioner has been surfaced in this case on the basis of confessional statement of co-accused persons before the police, which has got no evidentiary value in the eye of law. It is also submitted that informant is not the eye witness of the alleged occurrence. Similarly situated other co-accused person has already been granted bail by the different co-ordinate Bench of this Court vide Annexure-2 of this petition. Moreover, the petitioner is languishing in judicial custody since 18.01.2023.

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 Udakishunganj P.S. Case No. 19 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 Additional District and Sessions Judge-
1st cum Special Judge, Madhepura.

(Sunil Kumar Panwar, J)

Shubham/-

U		T	
---	--	---	--

