

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50037 of 2023

Arising Out of PS. Case No.-260 Year-2023 Thana- ARA NAGAR District- Bhojpur

Shivansh Kumar @ Shivanshu Kumar Son Of Rakesh Singh @ Rakesh Kumar Resident Of Mohalla Nyaya Nagar (Naya Nagar), Old Police Line, Ps-Ara Town, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-08-2023 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 307/34 of the Indian Penal Code and Section 27 of Arms Act.

3. As per prosecution case, it is a case of opening fire on the informant by co-accused Ashu due to which informant sustained injury. The petitioner is alleged to have order giver.

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. From perusal of FIR, no specific allegation of opening fire is against this petitioner rather the same is attributed against co-accused Aashu. The petitioner



is only alleged to have provoking to co-accused for opening fire. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition. It is further submitted that the petitioner is languishing in judicial custody since 27.5.2023.

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 Ara Nagar P.S. Case No. 260 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 Chief Judicial Magistrate, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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