

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56627 of 2023

Arising Out of PS. Case No.-170 Year-2022 Thana- SIWAIPATTI District- Muzaffarpur

Rajesh Sah @ Rajesh Kumar S/O Hitlal Sah R/O Village- Banghara, P.S-
Siwaipatti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Sections 302/34 of the Indian Penal Code
and 27 of the Arms Act.

It is a case of commission of murder of the
informant's son, namely, Bittu Kumar by gun shot injury.

It is submitted by learned counsel for the petitioner
that petitioner has committed no offence. He has been falsely
implicated in this case. The petitioner is not named in the F.I.R.
No one is the eye witness of the alleged occurrence. His name
has been transpired during investigation on the basis of
confessional statement of co-accused Amresh Kumar before the
police, which has no evidentiary value in the eye of law. Save



and except confessional statement of co-accused, there is no consistent material has come against the petitioner to show his involvement in the present occurrence. Petitioner is languishing in judicial custody since 06.04.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., (East)Muzaffarpur in connection with Siwaipatti PS Case No. 170 of 2022.

(Sunil Kumar Panwar, J)

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