

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52386 of 2023

Arising Out of PS. Case No.-333 Year-2021 Thana- BAHADURPUR District- Patna

KALLU @ RAUSHAN KUMAR SON OF SHAMBHU SARAN SHARMA
@ SHAMBHU SARAN SINGH RESIDENT OF VILLAGE- KAMTA, PS-
PRASI, DISTT- ARWAL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra
For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-10-2023 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 section 302, 120B, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per FIR, the informant alleged that due to previous dispute the co-accused person namely, Raushan fired upon his son due to which he sustained gunshot injury on his back, in the meantime petitioner and co-accused caught hold his son and another co-accused namely, Munna Singh fired upon the head of his son due to which he fell down. Thereafter, he was taken to hospital where doctor declared



him dead.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case due to previous dispute. The petitioner is Kallu @ Raushan Kumar and no specific allegation levelled against him rather the petitioner had only caught hold the informant's son and co-accused persons namely, Raushan and Munna Singh fired upon his back and head due to which son of the informant died. As per Annexure-4, similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 17.08.2022 passed in Cr. Misc No. 14751 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 20.01.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bahadurpur P.S. Case No. 333 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand)



with two sureties of the like amount each to the satisfaction of
learned Judicial Magistrate-Ist Class, Patna City, Patna.

(Sunil Kumar Panwar, J)

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