

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55105 of 2023

Arising Out of PS. Case No.-128 Year-2022 Thana- GHOSWARI District- Patna

Raghunath Singh Son Of Shankar Singh Resident of village - Bakma, P.s. -
Bhadour, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manjeet Kumar Roy
For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 302, 307, 326, 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

It is a case of causing murder by the petitioner along with other accused persons by indiscriminate firing upon the informant's son namely, Kamlesh Kumar due to which he sustained gun shot injury and shot dead.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case only because of the reason that there is inimical term with the informant's family



for which prior to the present case the petitioner has lodged Bhadaur P.S. Case No. 60 of 2021 wherein the son of the informant was an accused. There is no specific overt act against this petitioner. As per F.I.R., altogether eight named accused persons and five unknown persons said to be fired indiscriminately upon the informant's son (deceased) but according to postmortem report of the deceased, only five gunshot injuries were found. No nay incriminating article has been recovered from the conscious possession of the petitioner. During investigation, no consistent material has come against the petitioner which shows his complicity in the present occurrence. It is also submitted that petitioner is languishing in judicial custody since 15.03.2023.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail **after framing of charge, if charge is not framed.** The above named petitioner is directed to be enlarged on bail in connection with Ghoswari (Samayagarh) P.S. Case No. 128 of 2022 on furnishing bail bond of Rs. 10,000/-



(Rupees ten thousand) with two sureties of the like amount each
to the satisfaction of the learned Judicial Magistrate 1st Class,
Barh, District-Patna.

(Sunil Kumar Panwar, J)

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