

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58252 of 2023

Arising Out of PS. Case No.-153 Year-2023 Thana- RAGHOPUR District- Supaul

Laxman Kumar Sah Son Of Jago Sah @ Jageshwar Sah Resident Of Village-
Dharhara, Ward No 14, Ps -RAGHOPUR, Distt- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-09-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Raghopur P.S. Case No. 153 of 2023 dated 17.04.2023 registered for the offences punishable u/ss 324, 326, 307, 506 and 302 read with section 34 of the Indian Penal Code and 27 of the Arms Act.

4. As per the prosecution case, the petitioner and the co-accused persons along with five miscreants got the informant's husband seated from back of Durga Temple. The petitioner, Laxman Kumar, Ajay Kumar Choudhary, Ankit Kumar, Nitish Kumar along with others exhorted to kill. Upon this, the co-accused Banti Kumar



fired on the informant's husband indiscriminately due to that he sustained gunshot injuries on his chest, stomach, arm, waist and thigh due to previous dispute.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner who was an order giver. The specific allegation of firing on the deceased is against the co-accused Banti Kumar. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 07.04.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Birpur, Supaul in connection with Raghobur P.S. Case No. 153 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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