

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54465 of 2023

Arising Out of PS. Case No.-13 Year-2023 Thana- PURAINI District- Madhepura

Uttam Kumar @ Uttam Singh Son Of Shilo Singh @ Shailendra Singh @
Sailendra Prasad Singh Resident Of Village- Kadwa Panch Gachhiya Tola Op
Kadwa Ps Dholbajja, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-09-2023 Heard learned counsel for the petitioner, learned
counsel for the informant 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 Section 27 of the Arms Act.

As per allegation in the FIR, named accused persons
surrounded the motorcycle of the informant's son, namely,
Abhishek Kumar and started indiscriminate firing upon him and
at hospital doctor declared him dead. Prior to the alleged
incident, accused persons had also fired upon informant's son
for which Chausa P.S. case no. 3/2022 was lodged.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to old



enmity. Informant is the eye witness of the alleged occurrence. Only on the basis of suspicion, the name of the petitioner has been dragged in the present case. During investigation, no consistent material has come against the petitioner to show his involvement in the present case. Petitioner is languishing in judicial custody since 28.2.2023.

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 Additional District and Sessions Judge 1st class-cum- Special Judge, Madhepura in connection with Puraini PS Case No. 13 of 2013.

(Sunil Kumar Panwar, J)

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