

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53835 of 2023

Arising Out of PS. Case No.-157 Year-2022 Thana- PHULWARIA District- Begusarai

RISHU KUMAR S/O AMIT KUMAR SINGH @ AMIT KUMAR RAY R/O
VILLAGE- NAREPUR DHARAMPUR, P.S- BACHHWARA, DISTT.-
BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 307/120B/34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, some unknown miscreants
fired upon the informant's son on his back due to which, he got
severe injury.

4. It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is not named in the FIR and the same has been lodged against unknown persons. The name of the petitioner has come into light, on the basis of confessional statement of himself before the police, which has got no evidentiary value in the eyes of law. Except confession, there is no consistent evidence and no eye-witness has come to show the complicity of the petitioner in the present occurrence. Nothing incriminating/looted articles have been recovered from the conscious possession of the petitioner. No T.I. Parade has been done. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 20.07.2023 passed in Cr. Misc. No. 23376 of 2023. He is languishing in judicial custody since 27.04.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Court below in connection with
Phulwaria P.S. Case No. 157 of 2022.

(Sunil Kumar Panwar, J)

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