

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53544 of 2022

Arising Out of PS. Case No.-283 Year-2022 Thana- BASANTPUR District- Siwan

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Bittu Kumar Son Of Sanjay Rai R/O Village- Basantpur, P.S.- Basantpur,
District- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-03-2023 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 connection with Basantpur P.S. Case No. 283 of 2022 registered under sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the three unknown accused persons is that they entered the shop of the informant and fired upon the chest of the informant's son, namely, Arvind @ Bhola due to which he sustained injury and later on he died at hospital.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to village politics and suspicion. The petitioner is not named in F.I.R. rather he was



apprehended by the police on the basis of secret information and the self confessional statement of the petitioner. There is no consistent and cogent material available against the petitioner. During investigation, the fact came that the other co-accused namely, Deepak Kumar opened fire due to which the informant's son succumbed to injury. The petitioner is languishing in judicial custody since 16.07.2022.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Basantpur P.S. Case No. 283 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 C.J.M., Siwan.

(Sunil Kumar Panwar, J)

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