

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59969 of 2023**

Arising Out of PS. Case No.-21 Year-2021 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Bhavesh Kumar Son Of Ramashish Sahni Resident Of Village- Deopura, Ps-
Naokothi, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Archana Sinha @ Archana Shahi
For the Opposite Party/s : Mr.Rajendra Nath Jha

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 12-09-2023 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 120B, 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, it is alleged that on 16.02.2021 while the informant along with his father and brother were sitting at Kirana shop, situated at Deopura Chauk, suddenly six F.I.R. named accused persons on two motorcycles came there and made indiscriminate firing due to which his father sustained injuries and died during the treatment.



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 due to village politics. The informant is no an eye witness to the alleged occurrence. General and omnibus allegation has been levelled against the petitioner. The allegation of firing is upon co-accused Sanjeev Singh and Shwet Singh and not upon the petitioner. The name of the petitioner was intentionally added as a liner in the list of accused persons of this case. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 29.06.2022 passed in Cr. Misc. No.40312 of 2021 which is annexed as Annexure-2 of this petition. It is also submitted that petitioner is languishing in judicial custody since 20.06.2023.

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. The above named petitioner is directed to be enlarged on bail in connection with Nao Kothi



P.S. Case No.21 of 2021 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, Begusarai.

(Sunil Kumar Panwar, J)

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