

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58071 of 2023**

Arising Out of PS. Case No.-189 Year-2023 Thana- SABAUR District- Bhagalpur

Rishi Kumar, Son Of Shashi Bhushan Mandal, Resident Of Village- Lailakh,
Ps- Sabour, Distt- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan Singh, Advocate
For the Opposite Party/s : Mrs. Sharda Kumari, 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 Sabour P.S. Case No. 189 of
2023 dated 04.04.2023 registered for the offences punishable u/s
396 of the Indian Penal Code and u/s 27 of the Arms Act.

4. As per the prosecution case, 10-12 miscreants are
alleged to have shot Subodh Yadav dead who was the driver of
Hyva truck.

5. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this



case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Suman Kumar. Nothing has been recovered from the possession of the petitioner. The co-accused person has already been granted bail by the Coordinate Bench of this court vide order dated 23.08.2023 passed in Cr. Misc. No. 189 of 2023. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.04.2023.

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, Bhagalpur in connection with Sabour P.S. Case No. 189 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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