

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63320 of 2022**

Arising Out of PS. Case No.-124 Year-2022 Thana- SHYAMPUR BHATHA District-
Sheohar

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Mukesh Singh Son Of Late Dev Narayan Singh Resident Of Village - Rohua,
P.S.- Shyampur Bhataha, Distt.-Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madan Mohan

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

4 20-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to
remove the defects, if any, within three weeks.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 302, 120B
of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution story is that when the informant with
his brother (deceased) were on morning walk, after sometime,
several accused persons came there and one of them opened
indiscriminate firing upon the brother of the informant due to
which he fell down. Thereafter, informant's brother was taken to
SKMCH, Muzaffarpur, where he was declared dead.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is specific allegation of firing on the deceased is on Nitesh Kumar, Amit Kumar, Lalu Singh and Gautam Singh. He submits that there is no specific overt act against the petitioner. He submits that there is general and omnibus allegation levelled against the petitioner. He submits that similarly situated co-accused has already been granted bail by a Bench of this Court vide order dated 15.12.2022 passed in Cr. Misc. No. 48169 of 2022. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Shyampur Bhataha P.S. Case No. 124 of



2022, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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