

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56779 of 2023

Arising Out of PS. Case No.-239 Year-2022 Thana- BACHHWARA District- Begusarai

1. Sonu Singh @ Motka @ Sonu Kumar S/O - Dilip Singh R/O Vill - Sabaura, Ward No. 14, P.S. - Barauni (Refinery O.P.), District-Begusarai
2. Abhishek Kumar S/O Tuntun Sharma R/O Village - Ratanpur, Vishanpur, Ward No. 17, P.S. - Ratanpur O.P., District-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Binode Bariar

For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under Sections 307, 120(B)/34 of the Indian Penal Code and Section 27 of Arms Act.

3. As per prosecution case, the informant alleged that while he going to his sister's house, meanwhile, two miscreants on a motorcycle fired upon him which hit in his back side as a result of which he sustained injury and fell down. Thereafter, with the help of other person, he was taken to hospital.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. The prosecution case lodged against unknown miscreants and the petitioners have been remanded in this case from Barauni (Chakiya)



P.S. Case No. 438 of 2022. The name of petitioners surfaced on the basis of confessional statement of co-accused Shivam and Rishu which has got no evidentiary value in the eye of law. Neither TI Parade has been conducted to identify the culprits till date nor any incriminating article has been recovered from the conscious possession of the petitioners. Similarly situated other accused person has already been enlarged on bail by this Bench vide order dated 10.08.2023 passed in Cr. Misc. No. 44062 of 2023. Moreover, the petitioners are languishing in judicial custody since 27.3.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Bachhwara P.S. Case No. 239 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Begusarai.

(Sunil Kumar Panwar, J)

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