

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55677 of 2022

Arising Out of PS. Case No.-936 Year-2021 Thana- SAHARSA SADAR District- Saharsa

Raju Das S/O Shri Sambhu Das Resident Of Village- Sri Nagar, P.S.- Ghailar,
District- Madhepura, Bihar

... .. Petitioner/s
Versus
The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Subesh Sharma,Adv.
For the State	:	Mr.Binod Kumar,APP
For the Informant	:	Mr. Bhim Kumar Yadav, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-01-2023 Heard the learned counsel for the petitioner and the learned APP for the State as also learned counsel for the informant.

The petitioner seeks regular bail in connection with Sadar Saharsa P.S. Case No.936 of 2021, registered for the offences punishable under Sections 302, 201 and 120B of the Indian Penal Code and Section 27 of Arms Act.

The case of the prosecution in brief according to the informant is that on 05.12.2021, the named accused persons namely, Indal Yadav and Suman Shah, had opened fire causing the death of the son of the informant, whereupon the dead body was brought and kept in front of the



house of one Bhavesh Paswan, by the accused persons and they had tried to implicate the said Bhavesh Paswan in killing the son of the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 07.05.2022. It is further submitted that the petitioner has been neither named in the F.I.R. nor alleged to have fired on the son of the informant and moreover, similarly situated co-accused persons have already been granted bail by co-ordinate Benches of this Court vide order dated 03.08.2022 and 09.12.2022, passed in Criminal Miscellaneous No.24487 of 2022 and Criminal Miscellaneous No.50298 of 2022 respectively.

Per contra, the learned counsel for the informant and learned APP for the State have vehemently opposed the prayer for bail.

Having regard to the facts and



circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials on record as also considering the parity of the case of the petitioner with that of the co-accused persons, who have already been granted bail by co-ordinate Benches of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II Saharsa in connection with Sadar Saharsa P.S. Case No.936 of 2021.

(Mohit Kumar Shah, J)

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