

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55662 of 2022

Arising Out of PS. Case No.-5 Year-2020 Thana- SURYAPURA District- Rohtas

Jai Hari @ Punnu Singh @ Punnu Kumar Son Of Late Ram Badan Singh
Resident Of Village - Karma, P.S.- Suryapura, District - Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shankar Singh

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 17-04-2023 Heard learned counsel for the petitioner,

informant and learned A.P.P appearing on behalf of the

State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 302, 120(B), 34 of the Indian Penal Code and

Section 27 of the Arms Act.

The prosecution case as per F.I.R. is that on

23.01.2020, informant's son, namely, Nitish Kumar,

went with co-accused persons near the water tank. Soon

after, the informant heard the sound of firing and came

to know that his son sustained bullet injury. Thereafter,



he and his family members reached there and saw that the co-accused persons armed with firearms were fleeing away from motorcycle.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case due to ulterior motive. Informant is not eye witness to the alleged occurrence. Nothing incriminating article has been recovered from the conscious possession of the petitioner. It is further stated by learned counsel that petitioner has no concern with the other co-accused persons and except suspicion, there is no direct and consistent material evidence against the petitioner. Moreover, other co-accused persons have been granted bail by a co-ordinate Bench of this Court vide order dated 06.07.2020 Cr. Misc. No. 21615 of 2020. The petitioner is languishing in custody since 23.06.2022.

Learned A.P.P. appearing on behalf of the State and learned informant have vehemently opposed the



prayer for bail of the petitioner and submitted that
petitioner is named in the F.I.R.

Considering the facts aforesaid and the period
under custody, let the petitioner, above named, be
released on bail on furnishing bail bonds of Rs. 10,000/-
(Ten Thousands) with two sureties of the like amount
each to the satisfaction of learned Additional Chief
Judicial Magistrate, Bikramganj, Rohtas in connection
with Suryapura P.S. Case No. 05 of 2020.

(Sunil Kumar Panwar, J)

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