

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57592 of 2023

Arising Out of PS. Case No.-156 Year-2022 Thana- PHULWARIA District- Begusarai

Rishu Kumar Son Of Amit Kumar Singh @ Amit Kumar Ray Village-
Narepur Dharampur, Ps- Bachhwara, Begusarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 120B, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the allegation against unknown miscreants is of firing due to which informant's brother sustained injuries and during treatment he died.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of suspicion. The petitioner is not named in the FIR and he was not put on TIP. The informant is not an eye witness of the



alleged occurrence and no specific allegation of shot firing levelled against the petitioner. It is further submitted that except suspicion no consistent material has come out against the petitioner. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 14.07.2023 passed in Cr. Misc. No. 23025 of 2023. The petitioner has been languishing in judicial custody since 27.04.2023.

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

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 petitioner on bail. The above named petitioner is directed to be released on bail in connection with Phulwariya P.S. Case No. 156 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court.

(Sunil Kumar Panwar, J)

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