

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60632 of 2023**

Arising Out of PS. Case No.-221 Year-2022 Thana- SISWAN District- Siwan

RAJU KUMAR @CHAINJI @CHAINIJ @ CHHOTU@ SHUBHAM
KUMAR S/O BACHAN RAJBHAR @ BACHAN RAY R/O VILLAGE-
HARIHANS, P.S- HUSSAINGANJ, DISTT.- SIWAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 14-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 302, 307, 120B/34 of
the Indian Penal Code and Sections 25(1-b)a, 26, 27 and 35 of
the Arms Act.

3. As per prosecution case, the allegation against the
accused persons including the petitioner is that they fired upon
the police officials due to which, one police personnel sustained
gun shot injury and died.



4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to old dispute. He has committed no offence. Petitioner is not named in the FIR. The name of the petitioner has come into light on the basis of confessional statement of co-accused Md. Aftab Alam, which has got no evidentiary value in the eyes of law. There is no direct or indirect evidence has come against the petitioner to show his involvement in the present case. There is no specific overt act against the petitioner. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 20.07.2023 passed in Cr. Misc. No. 12507 of 2023. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 22.07.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the



satisfaction of the learned Court below in connection with
Siswan P.S. Case No. 221 of 2022.

(Sunil Kumar Panwar, J)

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