

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59364 of 2023

Arising Out of PS. Case No.-3 Year-2023 Thana- PATEPUR District- Vaishali

Sandeep Kumar S/O Satrudhan Mahto Resident Of Village-Malpur, P.S.-
Patepur, District-Vaishali.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the allegation against the accused persons including the petitioner is that they fired upon his grandson due to which he sustained gunshot injury and died.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The informant is not an eye witness to the occurrence and no specific allegation of shot firing has been



levelled against the petitioner. During investigation, no consistent material evidence was collected against the petitioner to connect the petitioner with the present case. The petitioner has got no criminal antecedent and he is languishing in custody since 01.06.2023. Moreover, other similarly situated co-accused has been granted bail vide order dated 30.08.2023 passed in Cr. Misc. No. 41637 of 2023.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Patepur P.S. Case No. 03 of 2023.

(Sunil Kumar Panwar, J)

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