

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60570 of 2023

Arising Out of PS. Case No.-115 Year-2023 Thana- SULTANGANJ District- Bhagalpur

Anant Kumar S/O Sudhir Mandal R/O Village- Gopalpur, Ps. Haweli
Kharagpur, Dist. Munger

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

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.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 326, 307, 120(B), 34 of the Indian Penal Code and Section 25(1-b)a, 26, 27 of Arms Act.

3. According to the FIR, two unknown persons are alleged to have fired upon the father of the informant and tried to fled away but one of them was caught on spot. Upon search, one loaded country made pistol was recovered from possession of co-accused.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR rather he has falsely been implicated in this case. His named transpired in the case on the



basis of his self confessional statement in another case bearing Sultanganj P.S. Case No. 118 of 2023. Confession before police is inadmissible in the eye of law. The petitioner has no concerned with the alleged arms seized by the police or with the co-accused persons. Similarly situated FIR named co-accused namely, Ranjeet Yadav has been granted bail by this Court vide order dt. 21.7.2023 passed in Cr. Misc. No. 44178 of 2023. Moreover, he is languishing in judicial custody since 26.2.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period 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 Sultanganj P.S. Case No. 115 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Bhagalpur.

(Sunil Kumar Panwar, J)

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