

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 60300 of 2023

Arising Out of PS. Case No.-60 Year-2022 Thana- AURAI District- Muzaffarpur

Bittu Mandal @RAJESH Kumar Son Of Radheshyam Mandal Resident Of
Village- Dhanharwa Ward No. 5, Ps- Aurai, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-09-2023 1. 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 302,
34, of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the allegation against the
accused persons including the petitioner is that they
committed murder of the informant's son by gunshot.

4. 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 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 against the petitioner which shows his complicity in this alleged occurrence. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 13.07.2023 passed in Cr. Misc. No. 16236 of 2023. Moreover, he is languishing in judicial custody since 18.04.2023.

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 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 Aurai P.S. Case No. 60 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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