

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63298 of 2023

Arising Out of PS. Case No.-239 Year-2022 Thana- BACHHWARA District- Begusarai

Sumit Kumar S/O Bhola Chaudhary Vill Hajipur Pipra Ps Barauni Dist
Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-10-2023 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 307, 120(B)/34 of the Indian Penal Code and Section 27 of Arms Act.

3. As per prosecution case, the informant alleged that while he was going to his sister's house, meanwhile, two miscreants on a motorcycle fired upon him, as a result of which he sustained injury and fell down. Thereafter, with the help of other person, he was taken to hospital.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case. Petitioner was not named in the F.I.R. His name sprang up in this case on the basis of confessional statement of co-accused Yuvraj Kumar @ Sonu



in Barauni (Chakia) P.S. Case No. 438 of 2022. Neither the petitioner was put on TI Parade nor any incriminating article has been recovered from his possession. Moreover, he is languishing in judicial custody since 27.3.2023. Similarly situated co-accused, namely, Rishu Kumar has been granted bail vide order dated 10.08.2023, passed in Cr. Misc. No. 44062 of 2023 by this Court.

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 Bachhwara P.S. Case No. 239 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 C.J.M., Begusarai.

(Sunil Kumar Panwar, J)

Nirajkrs/-

U		T	
---	--	---	--

