

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60040 of 2022

Arising Out of PS. Case No.-314 Year-2021 Thana- SARAI District- Vaishali

Kundan Singh S/O Late Griban Singh @ Gariban Singh Resident Of Village-
Akhtiyarpur, Patedha, P.S.- Sarai, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Choudhary

For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Sarai P.S. Case No. 314 of 2021 registered under Sections 341, 307, 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the co-accused persons including petitioner is that they assaulted and opened fire upon the son, namely, Banti and nephew, namely, Vikky Kumar of the informant, due to which the son of the informant sustained injury and his nephew died during treatment due to gun shot injury.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case due to personal grudge and enmity. It is further submitted that the specific allegation of opening fire due to which the informant's nephew namely, Vikky Kumar died during treatment is against co-accused Karu Jha, not against this petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 09.12.2021.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sarai P.S. Case No. 314 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge, V, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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