

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64880 of 2022

Arising Out of PS. Case No.-147 Year-2021 Thana- KISHUNPUR District- Supaul

RAKESH KUMAR S/o Sikendra Yadav Resident of village- Fulkaha, P.S.-
Jadia, District- Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh
For the Opposite Party/s : Mr. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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.

As per prosecution case, while the informant with one Anil Kumar Rawat was returning to Saharsa after delivery of Medicines, in the meantime, four miscreants on two motorcycle came and shot fire upon the head of the deceased Anil Kumar due to which he sustained fire arm injury but during course of treatment, he died.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Neither the petitioner is



named in FIR nor he has put on TI Parade yet. During investigation, co-accused persons who were arrested in another case and disclosed the name of the petitioner in their confessional statement for this offence. Except confessional statement, nothing has come against the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 31.8.2021.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with KIshanpur P.S. Case No. 147 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st-cum-Special Judge, Supaul.

(Sunil Kumar Panwar, J)

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