

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61270 of 2022

Arising Out of PS. Case No.-364 Year-2019 Thana- MAHUA District- Vaishali

Suraj Kumar @ Suraj Kumar Rai @ Suraj Rai Son Of Raja Rai @ Raja Prasad Rai Resident Of Village- Dighi Kala West, P.S.- Hajipur Sadar In The District Of Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-02-2023 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 a case registered for the offences punishable under Sections 302, 393 of the Indian Penal Code and Section 27 of Arms Act.

The prosecution case in nutshell is that while the informant and while the informant and his son was returning home on motorcycle, three miscreants intercepted them and fired upon the son of informant, due to which he succumbed to injuries.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Petitioner is not named in F.I.R and his name sprang up in this case on the basis of confessional statement of co-accused Sumit Kumar. There is no consistent evidence against the petitioner in this alleged offence. Moreover, the petitioner is languishing in judicial custody since 16.04.2021. similarly situated co-accused persons have been granted Bail vide order dated 20.07.2021 and 21.01.2020, passed in Cr. Misc. No. 40359 of 2020 and 3781 of 2020 respectively by the co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 enlarged on bail in connection with Mahua P.S. Case No. 364 of 2019 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 Chief Judicial Magistrate, Vaishali, Hajipur.

(Sunil Kumar Panwar, J)

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