

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63271 of 2023

Arising Out of PS. Case No.-123 Year-2022 Thana- PATNA CITY CHOWK District- Patna

Sunni Kumar son of Binod Kumar @ Langra Resident of Mohalla- Humad
Gali Ps- Chowk Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha

For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-10-2023 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, 201, 120(B), 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the petitioner along with other accused persons fired upon the father of the informant, resulting into his death during treatment.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case. The informant is not an eye witness of the alleged occurrence. The petitioner is not named in the F.I.R. and there is neither direct nor indirect



allegation has been levelled against him in the F.I.R. During investigation, no consistent material has come against the petitioner to show his complicity in this case. His name transpired in the confessional statement of co-accused Rajesh @ Thappa, who has already been enlarged on bail by another coordinate Bench of this Court vide order dated 16.12.2022 passed in Cr. Misc. No.55682 of 2022 which is annexed at page 27 of the petition. It is also submitted that petitioner is languishing in judicial custody since 30.06.2023.

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 as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Chowk P.S. Case No.123 of 2022 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 S.D.J.M., Patna City.

(Sunil Kumar Panwar, J)

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