

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62703 of 2023

Arising Out of PS. Case No.-197 Year-2021 Thana- BHAGWANPUR District- Vaishali

Rishu Kumar @ Rishu Kumar Singh Son Of Sanjay Singh Resident Of
Village - Imadpur, P.S. - Bhagwanpur, District - Vaishali

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 341, 307, 326 of the Indian Penal Code and sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per allegation in the FIR, three criminals are stabbing one person, and on getting information police party reached there. On seeing the police party, accused persons started to flee away but one pistol fell down on earth and one apache motorcycle was recovered from the place of occurrence. Injured was taken to hospital who after gaining sense, disclosed the name of the petitioner and others.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Injury



report shows that injury caused by hard and blunt substance, which is contradictory to the allegation as made in the FIR. Petitioner was not arrested on spot and nothing has been recovered from his conscious possession. General and omnibus allegation has been levelled against the petitioner. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 17.08.2022 passed in Cr. Misc. No. 8581 of 2022. Petitioner is languishing in judicial custody since 12.01.2022.

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

6. 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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 197 of 2021.

(Sunil Kumar Panwar, J)

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