

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62905 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- KHAGARIA RAIL P.S. District- Khagaria

Guddu Kumar Son Of Upendra Sah Resident Of Village- Bakhari Bazar, Ps-
Bakhari District -BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 394 of the Indian Penal Code and Section 27 of Arms Act.

3. According to prosecution case, four miscreants sat beside the informant in Train and out of those four boys, two boys got down at the Imli Station and two boys snatched his mobile phone and opened fire due to which he sustained injury in his belly and then both the accused persons fled from there.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not named in FIR rather his name came into light in this case on the basis of



confessional statement of other co-accused person before the police which has got no evidentiary value in the eye of law. Nothing has been recovered from the conscious possession of the petitioner and also he has not been put on TIP as yet. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 08.09.2023. in Cr. Misc. No. 59698 of 2023. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 05.04.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Khagaria (Rail) P.S. Case No. 23 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Khagaria.

(Sunil Kumar Panwar, J)

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