

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68726 of 2023**

Arising Out of PS. Case No.-49 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

Sunny Kumar @ Bishu Malhotra S/O Suranjit Shah Village- Sarainyan, Ps-
Barhara (Krisangarh), Dist- Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Bharat Bhushan

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 01-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 302, 307 and 34 of the
Indian Penal Code and Sections 25(1-b)a, 26, 35 and 27 of the
Arms Act.

3. As per prosecution case, four named accused
persons along with some unknown persons opened fire due to
which one Vindhyaachal Prasad died and the informant
sustained injury.



4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to dirty village politics. He has committed no offence. There is an admitted land dispute between the parties due to which the petitioner has been falsely implicated in the present case. He submitted that from the perusal of the FIR, it appears that there is no specific allegation of any assault or overt act attributed against the petitioner rather there is general and omnibus allegation against the petitioner. Further, it is submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 31.07.2023 passed in Cr. Misc. No. 45603 of 2023. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 23.06.2023.

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 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 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 A.C.J.M.-7th, Bhojpur at Ara in
connection with Ara Mufassil P.S. Case No. 49 of 2023.

(Sunil Kumar Panwar, J)

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