

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64642 of 2022

Arising Out of PS. Case No.-259 Year-2022 Thana- PAHARPUR District- East Champaran

AMARJEET KUMAR Son of Sri Vikrama Prasad @ Vikram Prasad
Kushwaha Resident of Village- Laukhan, P.S.- Paharpur, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-03-2023 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, 394 of the Indian Penal Code
and Section 27 of the Arms Act.

As per prosecution case, three unknown persons came
on a motorcycle surrounded the brother of the informant.
Further they demanded Aadhar card and paper of the motorcycle
and the accused persons took away the informant's brother with
his motorcycle to Laukaha Sareh and committed murder by
gunshot injury.

It is submitted by learned counsel for the petitioner



that the petitioner is innocent and he has falsely been implicated in the present case due to village party politics. He further submitted that there is no eye-witness and no consistent evidence have supported the involvement of the petitioner in the alleged crime. From the perusal of Para-138 of the case diary, it transpires that Mintu Tiwari has stated in his confessional statement that the petitioner is not fired on the deceased. Petitioner is not named in the FIR. There is no direct or indirect evidence to connect the petitioner with the alleged occurrence and the said mobile is not belong to the petitioner. No T.I. Parade has been conducted by the prosecution. The petitioner has no criminal antecedent as stated in para-3 of the bail application. It is also submitted that petitioner is languishing in judicial custody since 19.07.2022.

Learned APP appearing for the State and learned counsel for the informant have 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 Paharpur P.S. Case No. 259 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 Chief Judicial Magistrate, East Champaran at Motihari.

(Sunil Kumar Panwar, J)

Arish/-
Sushma/-

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