

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66640 of 2023

Arising Out of PS. Case No.-881 Year-2021 Thana- NAGAR District- Vaishali

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GUNJAN KUMAR @ GUNJAN RAI @ GUNJAN YADAV Son of Ram
Dayal Rai @ Shambhu Rai R/o vill - Magarhatta, Masjid Chowk, P.S. -
Hajipur Town, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivjee Singh

For the Opposite Party/s : Mr.Murli Dhar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 394, 302
of the Indian Penal Code 27 of the Arms Act.

As per FIR, it is alleged that two unknown
miscreants were demanded cash from the informant's husband
and on refusal, they fired upon her husband as a result of
which, he sustained gunshot injuries and during treatment he
died.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case merely on the basis of



confessional statement of co-accused, namely, Kundan Kumar. Neither the petitioner is named in the FIR nor any incriminating article has been recovered from his conscious possession. Similarly situated co-accused persons have already been granted bail by this Court vide order dated 16.01.2023 passed in Cr. Misc. No. 20744 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 21.08.2023.

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

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 Town (Hajipur) P.S. Case No. 881 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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