

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65592 of 2022

Arising Out of PS. Case No.-346 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

Keshav Jha @ Keshav Kumar, Son Of Shobha Kanth Jha, R/O Vill.- Sonpur
Dih, P.S.- Nayagaon, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sabal Kumar Jha
For the State	:	Mr.Ram Anurag Singh
For the Informant	:	Mr. Shashi Priya

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 04-05-2023 Heard learned counsel for the petitioner,

learned counsel for the informant & 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 and 120/34 of

the Indian Penal Code and Section 27 of the Arms Act.

As per allegation in the FIR, while the daughter

of the informant returning to her house, some unknown

person from motorcycle surrounded her and opened fire

due to which she succumbed to fire arm injuries.

It is submitted by learned counsel for the



petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is no eye witness of the alleged occurrence. He is not named in the F.I.R. rather his name has been transpired on the basis of confessional statement of co-accused, namely, Kundan Kumar, during investigation which has no evidentiary value in the eye of law. No any incriminating articles has been recovered from the possession of the petitioner. There is no consistent evidence against the petitioner. Moreover, the petitioner is languishing in judicial custody since 28.07.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, co-accused Kundan Kumar has been granted bail vide order dated 18.03.2023, passed in Cr. Misc. No. 56666 of 2022 by the co-ordinate Bench of this Court.

Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer for Bail and submitted that co-



accused Kundan Kumar has confessed about the complicity of petitioner in the alleged offence.

Having heard learned counsel for the parties and taking into consideration 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 in connection with Begusarai Town P.S. Case No. 346 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 C.J.M., Begusarai.

(Sunil Kumar Panwar, J)

Nirajkrs/lata

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