

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74054 of 2023

Arising Out of PS. Case No.-168 Year-2022 Thana- MIRGANJ District- Gopalganj

RANA SINGH @ RANA KUMAR SINGH @ ROHIT Son of Santosh Singh R/o vill -
Matihani Madho, P.S. - Mirganj, Distt. - Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shambhu Narayan Singh, Advocate
		Mr. Suraj Kumar Tiwari, Advocate
For the Opposite Party/s	:	Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Mirganj P.S. Case no.168 of 2022 registered under sections 302, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, while the informant's husband was returning home, Nagendra Yadav, Birendra Yadav, Sachin Kumar, Manu Yadav and others surrounded him and started to abuse. The informant further states that she saw Sachin Kumar and Manu Kumar catch hold of her husband while Nagendra Yadav and Birendra Yadav shot her husband and fled away. The informant's husband died on way to the hospital.

4. Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. From the contents of the



F.I.R it would transpire that specific allegation of overt-act is against Nagendra Yadav and Birendra Yadav. The name of the petitioner transpired in course of investigation when one of the co-accused Akash Kumar Yadav in his confessional statement made before police named this petitioner as his associate. The said Akash Kumar Yadav has been enlarged on bail vide order dated 28.3.2023 passed in Cr. Misc. no.66102 of 2022. The petitioner is in custody since 9.5.2023 and has no criminal antecedent. Charge-sheet has been submitted in the case.

5. Heard learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR, the petitioner not being named in the F.I.R, the two named accused persons in the F.I.R being named as the assailants of the deceased, the name of the petitioner transpiring in course of investigation in the confessional statement of co-accused Akash Kumar Yadav and the said Akash Kumar Yadav having been enlarged on bail by the above order together with charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Mirganj P.S. Case no.168 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 Additional Chief Judicial Magistrate
XV, Gopalganj.

(Partha Sarthy, J)

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