

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70369 of 2023

Arising Out of PS. Case No.-162 Year-2022 Thana- SARAI District- Vaishali

=====

Gauri Shankar @ Gauri Shankar Singh Son Of Shri Tapeswar Prasad Singh
Resident Of Village - Bishunpura, P.S. - Mahua, District - Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-11-2023 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 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case in short, is that, the brother of the informant went to his shop but did not return at night. Thereafter, on search, his brother was lying in injured condition near Sundar Nagar and firearm injury was found on the body of the informant's brother. After admitting to the hospital, doctor declared the informant's brother dead.

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 suspicion. The



petitioner is not named in F.I.R. rather his name came into light in this case on the basis of confessional statement of other co-accused person, namely, Ritik Kumar before the police who said that petitioner also involved in the alleged offence. It is further submitted that nothing specific allegation has been attributed against the petitioner and also he is non-assailant of this alleged offence. Moreover, he is languishing in judicial custody since 17.07.2023.

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 Sarai P.S. Case No. 162 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

Manishkr/-

U		T	
---	--	---	--

