

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71553 of 2023

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

SUJEET KUMAR SINGH@SUJIT KUMAR SINGH@SUJEET
KUMAR@SUJEET SINGH S/O SATYADEO SINGH @ SATDEV SINGH
VILLAGE- MURERA (MUERA), PS. HATHUA, DIST. GOPALGANJ
... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-11-2023

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, the informant states that the four named accused persons and 2-3 unknown surrounded her husband. It is further stated that while Sachin Yadav and Mannu Yadav caught hold of her husband, Nagendra Yadav and Birendra Yadav shot at him and he died as a result of the said firearm injury.

4. It is submitted by learned counsel for the petitioner that from perusal of the FIR itself it would be evident that while the petitioner is not named therein, the specific overt



act is against Nagendra Yadav and Birendra Yadav. Referring to the order of the learned trial Court it is submitted that the name of the petitioner transpired in the statement of coaccused Akshay Kumar Yadav made before the police and the said Akshay Kumar Yadav has been enlarged on bail vide order dated 28.3.2023 passed in Cr. Misc. No. 61384 of 2022. The petitioner is in custody since 10.7.2023 and chargesheet 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 fact that the specific allegation of overt act in the FIR is against Nagendra Yadav and Birendra Yadav, the petitioner has not been named therein, the name of the petitioner transpiring in the statement of coaccused Akash Yadav who has himself been enlarged on bail by the above mentioned order together with the petitioner being in custody since 10.7.2023 and investigation in the case having been completed, the Court directs the petitioner 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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