

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69830 of 2022

Arising Out of PS. Case No.-122 Year-2020 Thana- ALOULI District- Khagaria

SURESH MUKHIYA @ SURESH SAHNI Son of Late Ram Sahni Resident
of Village- Machhra, P.S.- Alauli, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-03-2023 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, 307, 34 and Section 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, while the informant along with his brother and others were returning after meeting, all the five FIR named accused persons and three unknown persons riding on three motorcycles surrounded the informant and on the order of the co-accused Vidyanand Yadav, all other accused persons are alleged to have made indiscriminate firing as a result of which, brother of the informant sustained injuries and during the course of 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. He submits that the petitioner is not named in the FIR, rather his name came into light for the first time in the restatement of the informant, which is recorded by the police. It is further submitted that the petitioner was not put on TI Parade. Similarly situated co-accused Md. Rasid @Raja Mohammad has already been granted bail by a coordinate Bench of this Court vide order dated 11.05.2022 passed in Cr. Misc. No. 5904 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 18.08.2022.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Alauli P.S. Case No. 122 of 2020 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., Khagaria.

(Sunil Kumar Panwar, J)

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