

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71162 of 2022

Arising Out of PS. Case No.-257 Year-2021 Thana- BARAUNI District- Begusarai

Indradeo Nishad @ Inddeo Nishad S/O Shukra Nishad R/V- Malhipur Bind
Toli, P.S.- Barauni (Chakiya), District- Begusarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prerna Anand

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-03-2023 Heard learned counsel for the petitioner and

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 302/34 of the Indian Penal Code and Section 27 of Arms Act.

The prosecution case in nutshell is that husband of the informant had gone to attend the marriage ceremony. In the meantime, co-accused persons including the petitioner also arrived there and hot talk exchanged between the accused persons and husband of the informant. Thereafter, they fired upon husband of



the informant which hit on his stomach and head, due to which he succumbed to gun shot 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. The informant is not an eye witness of the alleged occurrence and the name of the petitioner has been falsely dragged upon narration given to her by someone. There is no specific overt act of allegation is levelled against the petitioner. Similarly situated several co-accused persons have been granted Bail by different co-ordinate Benches of this Court. Moreover, the petitioner is languishing in judicial custody since 18.08.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail and submitted that according to postmortem report, two injuries have been found upon the body of the deceased. One upper part of stomach in ribs and second is upon head.

Having heard learned counsel for the parties



and taking into consideration 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 enlarged on bail in connection with Barauni (Chakia O.P) P.S. Case No. 257 of 2021 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 Judicial Magistrate, 1st Class, Begusarai.

(Sunil Kumar Panwar, J)

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