

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72482 of 2022

Arising Out of PS. Case No.-238 Year-2022 Thana- ALOULI District- Khagaria

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SHASHIBHUSHAN KUMAR @ GOLI Son of Vijay Kumar Singh @ Vijay
Kumar R/o Nista Haripur, P.S.- Alauli, Dist- Khagaria.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RAMVILASH MAHTO Son of Late Singheshwar Mahto R/o Haripur,
Ward No. 07, P.S.- Alauli, Dist- Khagaria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR

ORAL ORDER

3 27-04-2023 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 302, 307 and 34 of the
Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner along with others
is of killing the son of the informant namely, Raj Kumar @



Deepak.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that the informant is not eye-witness. Only on the basis of hearsay evidence, the name of the petitioner has come into light. He further submitted that the prosecution story is not believable itself because all four accused persons named in the FIR alleged to have shot fired upon the deceased but according to Postmortem report, the doctor opined that only one entry wound was found on the body of the deceased, which does not corroborate the prosecution case. Petitioner has got no criminal antecedent as stated in para-3 of the bail application. He is languishing in judicial custody since 08.06.2022.

The application for bail is opposed by learned APP for the State and learned counsel for the informant.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief



Judicial Magistrate, Khagaria in connection with Alouli P.S.
Case No. 238 of 2022.

(Sunil Kumar Panwar, J)

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