

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73682 of 2022

Arising Out of PS. Case No.-20 Year-2022 Thana- SINGHESHWAR District- Madhepura

Gaurav Kumar @ Biru Son Of Salen Yadav R/O Village- Gadia, Ward No.03,
P.S.- Kumarkhand, District- Madhepura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-03-2023 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 393, 326, 307/34 of the Indian Penal Code and Section 27 of Arms Act.

As per prosecution case, after getting secret information, the informant reached near Doma Chowk, he found that one injured person namely, Gunjan Kumar Sah. On enquiry, he disclosed that some unknown miscreants came and tried to snatch his motorcycle, then victim protested the same and threw the key of motorcycle in bush upon which accused persons fired upon him. Thereafter, raid has been conducted and co-accused persons were arrested from where one motorcycle was also recovered.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in this case. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. The name of the petitioner has come into light on the basis of confession made by co-accused Rahul Kumar, which is inadmissible in the eye of law. Moreover, similarly situated co-accused namely, Vikash Kumar and Mithilesh Kumar have already been granted bail by a co-ordinate Bench of this Court vide order 2.2.2023 passed in Cr. Misc. No. 49945 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 5.5.2022.

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 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 Singheswar P.S. Case No. 20 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 Chief Judicial Magistrate, Madhepura.

(Sunil Kumar Panwar, J)

Amandeep/-

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

