

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3652 of 2023

Arising Out of PS. Case No.-1 Year-2022 Thana- GAMAHARIYA District- Madhepura

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MUKESH KUMAR Son of Gajendra Yadav R/V- Korihar, Ward no. 7, P.S-
Gamahariya, Distt- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Ranjan

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 302 and 120B of the
Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, 8-10 bike borne armed
miscreants came to the house of the informant and caught hold
of the husband of the informant and shot him dead taking him
outside his house.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to
dirty village politics. He has committed no offence. Petitioner is
not named in the FIR and the same has been lodged against
unknown person. The name of the petitioner has come into light,



on the basis of confessional statement of co-accused Raushan Kumar @ Hitler, which has got no evidentiary value in the eyes of law. There is no consistent evidence and no eye-witness to show petitioner has involved in the said occurrence. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 10.04.2023 passed in Cr. Misc. No. 65233 of 2022. He is languishing in judicial custody since 14.07.2022.

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

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 Additional Chief Judicial Magistrate-II, Madhepura in connection with Gamahariya P.S. Case No. 1 of 2022.

(Sunil Kumar Panwar, J)

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