

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75324 of 2022

Arising Out of PS. Case No.-436 Year-2022 Thana- GOVINDGANJ District- East
Champaran

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OMPRAKASH RAM Son of Bharat Ram R/V- Raghunathpur, Ward no. 3,
P.S- Raghunathpur O.P Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prateek Tandon

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-04-2023 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, 120B and 34 of
the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, unknown miscreants fired
upon Sanjay Kumar Thakur and later on he died.

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 petitioner is not
named in the FIR. He submitted that during investigation, the
petitioner has been implicated in the present case only on the
basis of confessional statement of one co-accused Aayush



Kumar, which has no evidentiary value in the eyes of law. He further submitted that there is no consistent evidence, no eye-witness of the occurrence to show that the petitioner has involved in the said crime. He is languishing in judicial custody since 30.08.2022.

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 C.J.M., East Champaran, Motihari in connection with Govindganj P.S. Case No. 436 of 2022.

(Sunil Kumar Panwar, J)

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